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MUNICIPAL REGISTER

OF THE

CITY OF CHARLESTOWN:

CONTAINING THE

Charter of the City, Special Laws,

CITY ORDINANCES,

RULES AND ORDERS OF THE CITY COUNCIL,

AND A

LIST OF CITY OFFICERS.

* 43.2.21
Hist

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EXPLANATORY NOTE.

The chartered rights and duties of the City of Charlestown are found in the following Acts of the Legislature:

1. An Act to establish the City of Charlestown. Statute 1847, chapter 29.

2. An Act to amend "an Act to establish the City of Charlestown." St. 1847, ch. 258.

3. An Act in addition to "an Act to establish the City of Charlestown." St. 1849, ch. 27.

4. An Act in further addition to "an Act to establish the City of Charlestown." St. 1850, ch. 106.

5. An Act in addition to "an Act to establish the City of Charlestown." St. 1861, ch. 133.

For convenience of reference, in this Register, these Statutes have been consolidated. The endeavor has been, omitting the repealed and superseded provisions, to present the portions of the Charter and Amendments now in force, in their proper connection, and, as nearly as possible, in the words in which they were originally enacted. Sections 19, 21, 22 and 24 long ago spent their force, and so they are omitted in this compilation.

The same course has been pursued in regard to the "Special Laws." There seemed to be no occasion for encumbering the pages of this Manual with Statutes, unrepealed it is true, but yet entirely inoperative, of which there are not a few. Such have been referred to by their titles, and a reference made to the chapter or page of the Statutes where they may be found printed at large. And in cases in which various Statutes

have, from time to time, been enacted relative to the same subjects, consolidation has been attempted as in the case of the Charter and the Amendments thereto. By pursuing this course, it is believed the Register will better answer the purpose it is intended to serve, than if the dead matter, which has been omitted, were reproduced.

The laws relating to the School Committee are in this condition:

1. By the original Charter, Sec. 11, it was provided that the citizens should "elect five persons from the City at large, and two persons from each Ward, to be members of the School Committee."

2. By the Statute of 1847, chap. 258, it was provided that the voters of the City should elect "five persons from the City at large, and the qualified voters of each Ward, two persons, who shall be residents of the Ward for which they are elected, to be members of the School Committee; and the eleven persons thus chosen, shall constitute the School Committee."

3. By the Statute of 1850, Chap. 106, Sec. 6, this provision was made: "After the present municipal year, the School Committee shall consist of thirteen members, as follows: The Mayor, who shall be *ex-officio* President, and twelve others, four to be chosen from and by each Ward."

These Acts were in amendment of the Charter.

4. But by a General Law, Statute of 1857, Chapter 270, it was enacted, in substance, among other provisions, that, if any City availed itself of that Act, by vote of the City Council, the Board of School Committee should consist of such number, divisible by three, as the City Council should determine, and that the elections should be made in such manner as that after the first year, one-third of said Board should be annually elected, to hold office for three years. The City availed itself of this Act, by vote of the City Council, and provided that the Committee should consist of eighteen persons, six to be chosen in the above described manner from each Ward.

5. The General Statutes, which went into effect "from and after the thirty-first day of May, 1860," contain these provisions: "Every Town shall, at the annu a meeting, choose, by written ballots, a Board of School Committee, which shall have the general charge and superintendence of

all the Public Schools in Town. Said Board shall consist of any number of persons divisible by three, which said Town has decided to elect, one-third thereof to be elected annually, and continue in office three years." Chap. 38, Sec. 16.

"Except as may be otherwise provided in their respective Charters, or Acts in amendment thereof, the provisions of this chapter, so far as applicable, shall apply to Cities." Chap. 38, Sec. 41.

The General Statutes expressly repeal Chap. 270 of the Acts of 1857, but enact as follows respecting the effect thereof: "The repeal of the Acts and Resolves, and parts of Acts and Resolves, revised and re-enacted herein, or repugnant to the provisions hereof, shall not revive any law heretofore repealed or superseded, nor any office heretofore abolished." Chap. 181, Sec. 3.

The School Committee has, from year to year, been organized under the General Laws, and not under the Amendments of the Charter. It now, therefore, consists of eighteen persons, six residents in, and chosen by each Ward, in the manner prescribed by the Statutes cited above.

MUNICIPAL REGISTER.

PORTIONS OF THE CITY CHARTER,

WITH THE

AMENDMENTS INCORPORATED THEREIN.

Commonwealth of Massachusetts.

In the year of our Lord one thousand eight hundred and forty-seven.

AN ACT TO ESTABLISH THE CITY OF CHARLESTOWN.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The inhabitants of the Town of Charlestown shall continue to be a body politic and corporate, under the name of the City of Charlestown, and, as such, shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon and appertaining to said Town as a municipal corporation. Gen. St. ch. 19.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said City, with the government thereof, shall be vested in one principal Officer, to be styled the Mayor; one Council of nine, to be called the Board of Aldermen; and one Council St. 1861, ch. 133.

of eighteen, to be called the Common Council; which Boards, in their joint capacity, shall be denominated the City Council, and the members thereof shall be sworn to the faithful performance of the duties of their respective offices. A majority of each Board shall constitute a quorum for doing business, and no member of either shall receive any compensation for his services, nor hold any office in the City, the salary of which is payable from the City treasury.

St. 1859, ch. 106, Sec. 8.

SECT. 3. It shall be the duty of the Selectmen of the Town of Charlestown, as soon as may be after the passage of this Act, and its acceptance by the inhabitants as hereinafter provided, to divide said Town into three Wards, as nearly equal in number of inhabitants, as may be consistent with convenience in other respects. And it shall be the duty of the City Council, once in five years, to revise, and if it be needful, to alter such Wards in such manner as to preserve as nearly as may be, an equal number of voters in each Ward.

St. 1857, ch. 309, Sec. 2.

Gen. St. ch. 19, sec. 16.

St. 1849, ch. 27, sec. 1 and 3.

St. 1849, ch. 27, sec. 2.

St. 1850, ch. 106, Sec. 2.

Gen. St. ch. 7.

SECT. 4. On the second Monday in December, annually, there shall be chosen, by ballot, in each of said Wards, a Warden, Clerk, and three Inspectors of Elections, who shall hold their offices for one year from the first Monday of January following said second Monday in December, and until others shall have been qualified in their place. And it shall be the duty of such Warden to preside at all Ward meetings, with the powers of Moderator of Town meetings. And if at any meeting the Warden shall

not be present, the Clerk of such Ward shall call the meeting to order, and preside until a Warden, pro tempore, shall be chosen by ballot, or by nominations and by hand vote, if the voters present so determine. And if at any meeting the Clerk shall not be present, a Clerk, pro tempore, shall be chosen, in the same manner. In case of the temporary absence of both the Warden and the Ward Clerk, one of the Inspectors shall preside until a Warden is chosen, pro tempore. Such Warden may be qualified by the presiding Inspector, and he may also qualify the Ward Clerk, when chosen pro tempore. In case of the temporary absence of the Inspectors, or any of them, Inspectors may be chosen, pro tempore, who may be qualified by the presiding Warden, and the choice of any of these officers, pro tempore, may be made by nominations and by hand vote, if the voters present so determine. And in case of the resignation of any of the Wardens, Ward Clerks and Inspectors, or the refusal of any one elected to accept such office, or of a vacancy occuring by removal or otherwise, and on the same being duly notified to their Ward, the vacancy may be filled at any Ward meeting. The Clerk shall record all the proceedings, and certify the votes given, and deliver over to his successors in office all such records and journals, together with all other documents and papers held by him in said capacity. And it shall be the duty of Inspectors of Elections to assist the Warden in receiving, assorting and counting the votes. And the Warden, Clerk and Inspectors so chosen, shall respectively make oath or affirmation, faithfully and impartially to discharge their

St. 1850, ch. 106, sec. 3.

St. 1850, ch. 106, sec. 2.

several duties, relative to elections, which oath may be administered by the Clerk of such Ward to the Warden, and by the Warden to the Clerk and Inspectors, or by any Justice of the Peace, for the County of Middlesex. And all warrants for meetings of the citizens for municipal purposes, to be held either in Wards or in general meetings, shall be issued by the Mayor and Aldermen, and shall be in such form, and shall be served, executed and returned in such manner, and at such times as the City Council may by any by-law, direct.

St. 1861, ch. 133. SECT. 5. The Mayor and nine Aldermen, three Aldermen to be selected from each Ward, shall be elected by the inhabitants of the City, at large, voting in their respective Wards, and six Common Councilmen shall be elected from and by each Ward, St. 1849, ch. 27, sec. 1, 2, 3. being residents of the Wards in which they are elected; all said officers shall be chosen by ballot, on the second Monday of December, annually, and shall hold their offices for one year from the first Monday in January, and the Mayor until another shall St. 1850, ch. 106, sec. 1. be elected and qualified in his place, and the Aldermen until a majority of the new Board shall be elected and qualified. And whenever it shall appear St. 1850, ch. 106, sec. 1. that a majority of the new Board has not been elected previously to the said first Monday in January, a record of the fact shall be made by the Mayor and Aldermen, for the time being, and an attested copy thereof shall be read by the City Clerk, at the opening of the convention to be held on that day, as is provided in the case of no election of Mayor.

SECT. 6. On the second Monday of December, annually, the qualified voters in each Ward shall give in their votes for Mayor, Aldermen and Common Councilmen, Warden, Clerk and Inspectors, as provided in the preceding sections; and all the votes so given shall be assorted, counted, declared and registered in open Ward meeting, by causing the names of persons voted for, and the number of votes given for each, to be written in the Ward records in words at length. The Clerk of the Ward within twenty-four hours after such elections, shall deliver to the persons elected Warden, Clerk and Inspectors, and members of the Common Council, certificates of their elections, signed by the Warden and Clerk, and by a majority of the Inspectors of elections, and shall deliver to the City Clerk a copy of the records of such election, certified in like manner; provided, however, that if the choice of Warden, Clerk, Inspectors or Common Councilmen cannot be conveniently effected on that day, the meeting may be adjourned, from time to time, to complete such election. The Board of Aldermen shall, as soon as conveniently may be, examine the copies of the records of the several Wards, certified as aforesaid, and shall cause the person who may have been elected Mayor to be notified, in writing, of his election; but if it shall appear that no person has been elected, or if the person elected shall refuse to accept the office, the Board shall issue their warrants for a new election, and the same proceedings shall be had as are hereinbefore described, for the choice of Mayor, and repeated, from time time, until a Mayor is chosen. In case of

Gen. St. ch. 7, sec. 14.

the decease, resignation or absence of the Mayor, or of his inability to perform the duties of his office, it shall be the duty of the Board of Aldermen and Common Council, in convention, to order, by vote, an entry of that fact to be made in their records, and to elect a Mayor, for the time being, to serve until another is chosen, or until the occasion causing the vacancy is removed. And if it shall appear that the whole number of Aldermen have not been elected, the same proceedings shall be had as are hereinbefore directed for choice of Mayor. And each Alderman shall be notified, in writing, of his election, by the Mayor and Aldermen, for the time being. The oath prescribed by this Act, shall be administered to the Mayor by the City Clerk, or any Justice of the Peace for the County of Middlesex. The Aldermen and Common Council elect shall, on the first Monday of January, at ten o'clock in the forenoon, meet in convention, when the oath required by this Act shall be administered to the members of the two Boards present, by the Mayor, or by any Justice of the Peace for the County of Middlesex, and a certificate of such oath having been taken, shall be entered on the journal of the Mayor and Aldermen, and of the Common Council, by their respective Clerks. And whenever it shall appear that no Mayor has been elected previously to the said first Monday in January, the Mayor and Aldermen, for the time being, shall make a record of that fact; an attested copy of which the City Clerk shall read at the opening of the convention to be held as aforesaid. After the oath has been administered, as aforesaid, the two Boards shall separate,

Gen. St. ch. 19, sec. 7.

Gen. St. ch. 19.

St. 1849, ch. 27, sec. 2.

St. 1850, ch. 106.

and the Common Council shall be organized by the choice of a President and Clerk, to hold their office during the pleasure of the Common Council, and to be sworn to the faithful performance of their duties. In case of the absence of the Mayor elect, on the first Monday of January, the City Government shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the Mayor were present, and the oath of office may be administered to the Mayor at any time thereafter, in a convention of the two branches. In the absence of the Mayor, the Board of Aldermen may choose a Chairman, pro tempore, who shall preside at joint meetings of the two Boards. Each Board shall keep a record of its own proceedings, and judge of the elections of its own members ; and in failure of election, or in case of vacancy declared by either Board, the Mayor and Aldermen shall order a new election.

SECT. 7. The Mayor, thus chosen and qualified, shall be the chief executive officer of said City. It shall be his duty to be vigilant in causing the laws and regulations of the City to be enforced, and to keep a general supervision over the conduct of all subordinate officers, with power to remove them for neglect of duty. He may call special meetings of the Boards of Aldermen and Common Council, or either of them, when necessary in his opinion, by causing notices to be left at the places of residence of the several members ; he shall communicate, from time to time, to both of them, such information and

Gen. St. ch. 13, sec. 134.

Gen. St. ch. 164

recommend such measures, as in his opinion the interests of the City may require; he shall preside in the Board of Aldermen and in convention of the two branches, but shall have only a casting vote. The salary of Mayor, for the first year in which this Charter shall take effect, shall be five hundred dollars, and no more; his salary shall afterwards be fixed by the City Council, but neither increased nor diminished during the year for which he is chosen, and he shall have no other compensation; provided, however, that the City Council shall have power to appoint the Mayor Commissioner of Highways, when in their opinion such an officer is necessary, and allow him a suitable compensation therefor.

Sect. 8. The executive power of said City, generally, and the administration of Police, with all the powers heretofore vested in the Selectmen of Charlestown, shall be vested in the Mayor and Aldermen, as fully as if the same were herein specially enumerated. And all other powers now vested in the inhabitants of said Town, as a municipal corporation, and all powers granted by this Act, not herein otherwise provided for, shall be vested in the Mayor and Aldermen and Common Council of said City, to be exercised by concurrent vote, each Board having a negative upon the other. And the Mayor and Aldermen shall have full and exclusive power to appoint a Constable and assistants, or a City Marshal and assistants, with the powers and duties of Constables, and all other Police Officers; and the same to remove at pleasure. And the Mayor and Aldermen may require

Gen. St. ch. 19, sec. 3.

any person appointed a Constable of the City, to give bonds with such security as they may deem reasonable, before he enters upon the duties of his office, upon which bonds the like proceedings and remedies may be had as are by law provided in case of Constables' bonds taken by the Selectmen of towns. And the Mayor and Aldermen shall have the same power to grant licences to inn-holders, victuallers and retailers, within the City, which is possessed by the Mayor and Aldermen of the City of Boston. The City Council shall, annually, as soon after their organization as may be convenient, elect by joint ballot in convention, a Treasurer and Collector of Taxes, Engineers of the Fire Department, a City Clerk, three Assessors of Taxes, and fix their compensations. They shall also, in such manner as they shall determine, appoint or elect all other subordinate officers, not herein otherwise directed, define their duties and fix their compensations. All sittings of the Common Council shall be public, and all sittings of the Mayor and Aldermen, when they are not engaged in executive business. The City Council shall take care that no moneys be paid from the treasury unless granted or appropriated; shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties, from all persons trusted with the receipt, custody or disbursement of money; shall have the care and superintendence of the City buildings, with the power to let, or to sell, what may be legally sold; and to purchase property, real or personal, in the name and for the use of the City, when-

Gen. St. ch. 18, sec. 61, 62.

Gen. St. ch. 88, sec. 1—22.

Gen. St. ch. 17, sec. 34.

Butler's case, 7 Gray, 12.

ever its interest or convenience may, in their judgment, require it. And the City Council shall, as often as once in a year, cause to be published, for the use of the inhabitants, a particular account of the receipts and expenditures, and a schedule of City property.

St. 1850, ch. 106, sec. 7.

No Board or Committee of the City Council, or of either branch thereof, shall make any contracts on behalf of, and binding upon said City, the amount of which contracts shall exceed the specific appropriations of the City Council previously made therefor.

Sect. 9. In all cases in which appointments are directed to be made by the Mayor and Aldermen, the Mayor shall have the exclusive power of nomination; such nomination, however, being subject to be confirmed or rejected by the Board of Aldermen; provided, however, that no person shall be eligible to any office of emolument, the salary of which is payable out of the City treasury, who, at the time of such appointment, shall be a member of the Board of Aldermen or of the Common Council.

Gen. St. ch. 18, sec. 46—48. Gen. St. ch. 7, sec. 5, 16, 17. Gen. St. ch. 21. Gen. St. ch. 30, sec. 29. Gen. St. ch. 40, sec. 1, 10. Gen. St. ch. 79. Gen. St. ch. 86, sec. 18. Gen. St. ch. 88, sec. 53, 54. Gen. St. ch. 106, 8—21. Gen. St. ch. 123, sec. 57, 58. Gen. St. ch. 132, sec. 15—36. Gen. St. ch. 157, sec. 9.

Sect. 10. The City Clerk shall be Clerk of the Board of Aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the Board of Aldermen, and he shall perform all the duties and exercise all the powers by law incumbent upon, or vested in the Town Clerk of the Town of Charlestown. He shall be chosen for one year, and until another shall be chosen and qualified in his place; but may be, at any time, removed by the City Council.

SECT. 11. The qualified voters of each Ward, at their respective annual Ward Meetings for the choice of Officers, shall elect, by ballot, two persons, who shall be residents of the Ward for which they are elected, to be Overseers of the Poor; and the Mayor, together with the persons thus chosen, shall constitute the Board of Overseers of the Poor. And shall have all the powers, and be subject to all the duties now by law appertaining to the Overseers of the Poor for the Town of Charlestown. And at the same time, and in the same manner, the qualified voters of each Ward shall elect six persons, who shall be residents of the Ward for which they are elected, to be members of the School Committee, and they shall constitute the School Committee, and have the care and superintendence of the public schools; and said School Committee shall have all the powers and privileges, and be subject to all the liabilities set forth in an Act passed by the Legislature of Massachusetts in the year of our Lord one thousand seven hundred and ninety-three, entitled "an Act to incorporate certain persons by the name of the Trustees of Charlestown Free Schools," and all acts in addition thereto.* In case of the failure of an election of any of the Overseers of the Poor, or of the School Committee, new trials shall be had until the elections are completed; and for this purpose, Ward Meetings may be adjourned from day to day. The Mayor and Aldermen for the time being, shall be the judges of the returns, and of the elections of the Overseers of the Poor, and of the School Committee, and shall

St. 1847, ch. 258, sec. 1.
St. 1825, ch. 40.
Gen. St. ch. 18, sec. 31.
Gen. St. ch. 22, sec. 3.
Gen. St. ch. 70.
Gen. St. ch. 71, sec. 24.
Gen. St. ch. 72.
Gen. St. ch. 111.
Gen. St. ch. 38. sec. 16, 41.
St. 1847, ch. 258, sec. 1.
St. 1850, ch. 270,
St. 1859, ch. 248, 263.
Gen. St. ch. 38.
Gen. St. ch. 42.
St. 1793.
St. 1841, ch. 25.
St. 1850, ch. 106, sec. 4.
St. 1850, ch. 106, sec. 5.

*See Note on page 4.

cause the persons ascertained by them to be elected, to be notified of their election; and on being notified of any vacancy in either of said Boards, they may issue their warrants for a new election. And the persons chosen by the City Council, Assessors, shall constitute the Board of Assessors, and shall exercise the powers, and be subject to the duties and liabilities of Assessors in towns. All Taxes shall be assessed, apportioned, and collected in the manner prescribed by law relative to Town Taxes; *provided*, however, that it shall be lawful for the City Council to establish further additional provisions for the collection thereof.

Gen. St. ch. 18, sec. 31—51, 52, 53.
Gen. St. ch. 11.
Gen. St. ch. 38. sec. 31, 32.
Gen. St. ch. 12, sec. 4.
Gen. St. ch. 39, sec. 26, 33, 34.
Gen. St. ch 40, sec. 3.
St. 1825, ch. 97.

Sect. 12. The City Council shall have exclusive authority and power to lay out any new Street or Town Way, and to estimate the damages any individual may sustain thereby; but all questions relating to the subject of laying out, accepting, altering, or discontinuing any Street or Way, shall first be acted upon by the Mayor and Aldermen. And any person dissatisfied with the decision of the City Council in the estimate of damages, may make complaint to the County Commissioners of the County of Middlesex, at any meeting held within one year after such decision, whereupon the same proceedings shall be had as are now provided by the laws of this Commonwealth, in cases where persons are aggrieved by the assessment of damages by Selectmen, in the twenty-fourth chapter of the Revised Statutes.

Gen. St. ch. 43.
6 Cush. 245; 5 Gray, 34.
7 Gray, 390; 13 Gray, 31; 1 Allen, 150.
St. 1824, ch. 16; St. 1855, ch. 11.
St. 1859, ch. 165.
St. 1850, ch. 180.

SECT. 13. All power and authority now by law vested in the Board of Health for the Town of Charlestown, or in the Selectmen of said Town, shall be transferred to and vested in the City Council, to be carried into execution in such manner as the City Council shall deem expedient. St. 1853, ch 315. Gen. St. ch. 26. St. 1818. St. 1832. St. 1855, ch. 469.

SECT. 14. The City Council shall have authority to cause Drains and Common Sewers to be laid down through any Street or private lands, paying the owners such damage as they may sustain thereby; and to require all persons to pay a reasonable sum for the privilege of opening any drain into said public Drain or Common Sewer. And the City Council may make By-Laws, with suitable penalties, for the inspection, survey, measurement, and sale of Lumber, Wood, Coal, and Bark, brought into the city for sale. Gen. St. ch. 48.

SECT. 15. It shall be the duty of the City Council, annually, in the month of October, to meet in convention and determine the number of Representatives to be elected by the City to the General Court, in such year, which shall be conclusive, and the number thus determined, shall be specified in the warrant calling meetings for the elections of Representatives. Gen. St. ch. 39. Art of Am't to Const. XXI. Gen. Stat. ch. 8.

SECT. 16. All elections for County, State, and United States Officers, who are voted for by the people, shall be held at meetings of the citizens, qualified to vote in such elections, in their respective Wards, at the times fixed by law for these elections respect-

ively; and at such meetings all the votes given for said officers respectively shall be assorted, counted, declared, and registered in open Ward Meeting, by causing the names of all persons voted for, and the number of votes given for each, to be written in the Ward Record in words at length. The Ward Clerk shall forthwith deliver to the City Clerk a certified copy of the record of such elections. The City Clerk shall forthwith record such returns, and the Mayor and Aldermen, shall, within two days after every such election, examine and compare all said returns, and make out a certificate of the result of such election, to be signed by the Mayor, and a majority of the Aldermen, and also by the City Clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by the Selectmen of Towns. And in all elections for Representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by a plurality of the votes legally returned, the Mayor and Aldermen shall forthwith issue their warrant for a new election, conformably to the provisions of the Constitution and the laws of the Commonwealth.

Art. of Am't to Const. XXI.

Gen. St. ch. 8.

Sect. 17. Prior to every election, the Mayor and Aldermen shall make out lists of all the citizens of each Ward, qualified to vote in such elections, in the manner in which the Selectmen of Towns are required to make out lists of voters; and for that purpose they shall have full access to the Assessors' books and list, and be entitled to the assistance of all As-

Arts. of Amend. Const. 3, 20, 23.

sessors, Assistant Assessors, and City Officers, and they shall deliver said lists, so prepared and corrected, to the Clerks of said Wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such list. Gen. St. ch. 6.

Sect. 18. General meetings of the citizens qualified to vote, may, from time to time, be held to consult upon the public good; to instruct their Representatives, and to take all lawful measures to obtain redress for any grievances, according to the right secured to the people by the Constitution of this Commonwealth. And such meetings may, and shall be duly warned by the Mayor and Aldermen, upon the requisition of fifty qualified voters. Const., Part 1, Art. XIX.

Sect. 19. [This Section prescribes the manner in which the City Government was organized in the first instance, and is not now important.]

Sect. 20. The City Council shall have power to make all such salutary and needful By-Laws, as towns, by the laws of this Commonwealth, have power to make and establish, and to annex penalties not exceeding twenty dollars, for the breach thereof, which By-Laws shall take effect, and be in force, from and after the time therein respectively limited, without the sanction of any Court, or other authority whatever; provided, however, that all laws and regulations now in force in the Town of Charlestown, shall, until they shall expire by their own limitation, or be revised or repealed by the City Council, remain in Gen. St. ch. 3 and 18.

force ; and all fines and forfeitures for the breach of any By-Law, or Ordinance, shall be paid into the City Treasury.

Sect. 21. [This Section relates to the Town Officers of 1847.]

Sect. 22. [This relates to the Town Records.]

Sect. 23. All such Acts and parts of Acts as are inconsistent with the provisions of this Act, shall be, and the same are hereby repealed.

Sect. 24. Nothing in this act contained shall be so construed as to prevent the Legislature from altering or amending the same whenever they shall deem it expedient.

Sect. 25. [This Section provided for a vote of the people on the question of the acceptance of the Charter.]

Sect. 26. This Act shall go into operation from and after its passage.

Approved, February 22, 1847.

SPECIAL LAWS.

No. 1.

AN ACT TO PREVENT DAMAGE BY FIRE, IN THE TOWNS OF BOSTON AND CHARLESTOWN.

St. 1748 and 1797.

No. 2.

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE TRUSTEES OF CHARLESTOWN FREE SCHOOLS.

Whereas, the education of youth has ever been considered by the wise and good as of the highest consequence to the safety and happiness of a free people; and, whereas sundry persons have bequeathed real and personal property to the Town of Charlestown, the rents and profits thereof to be solely and forever applied to and for the use of the Free Schools in said Town; and, whereas, many inconveniences have arisen in the present method of executing their generous designs:

Sect. 1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the School Committee of the City of Charlestown shall be the Trustees of the Charlestown Free Schools. City Char. sec. 11. St. 1841, ch. 25.

Sect. 2. All the donations which have been given to said Town for the use and support of their Schools, whether Charter, sec. 11. St. 1841, ch. 25.

real, personal or mixed, shall be, pursuant to the consent, and at the request of said Town, had in a public Town meeting on the fourth day of March, one thousand seven hundred and ninety-three, and they are hereby confirmed unto the said School Committee, for the time being, for ever, for the sole use and benefit of said Schools, agreeably to the true intent and meaning of the donors.

SECT. 3. That the said Committee, for the time being, shall have one common seal, which they may make use of in any cause or business that relates to the said office of Trustees of said Schools: and they shall have power and authority to break, change and renew the same, from time to time, as they shall see fit; and they may sue and be sued in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, by the name of the Trustees of Charlestown Free Schools.

Charter, sec. 11. Gen. St. ch. 38.

SECT. 4. The said Trustees shall be the Trustees, Visitors and Governors of the Charlestown Free Schools; that they shall have power to elect a President, Treasurer and Secretary, and such other officers as they shall judge necessary and convenient; but no pecuniary compensation shall be allowed the said Trustees, without the consent of said Town of Charlestown; and to make and to ordain such laws, rules and orders for the good government of said Schools as to them shall seem most fit and requisite, all of which shall be observed by the officers and scholars of said Schools, upon the penalties therein contained: *provided*, notwithstanding, that the said rules, laws and orders be no ways repugnant to the laws of this Commonwealth.

SECT. 5. The Trustees are rendered capable in law to take and receive by gift, grant, devise or bequest, or otherwise, any estate, real or personal, which may be granted for the benefit of said Charlestown Free Schools: *provided*, the annual income thereof shall not exceed the sum of six hundred pounds; to have and to hold the same under such

provisions and limitations as may be expressed in any deed or conveyance to them made by the donor or donors; and that all deeds and instruments, which said Trustees shall lawfully make, shall, when made in the name of said Trustees, and signed and delivered by the President and sealed with their common seal, bind the said Trustees and their successors and be valid in law.

SECT. 6. The Trustees shall have full power and authority to determine at what times and places their meetings shall be held, and upon the manner of notifying the Trustees to convene at such meetings; and they shall have full power and authority to determine and prescribe the powers and duties of their respective officers and the tenures of their offices.

SECT. 7. The Trustees shall, annually, lay before the Town the particulars of their proceedings, and the state of their funds. ST. 1793, and 1841, CH. 25. Gen. St. ch. 40, sec. 4, 11.

No. 3.

AN ACT CONCERNING THE TRUSTEES OF THE CHARLESTOWN FREE SCHOOLS.

ST. 1841, CH. 25.

No. 4.

AN ACT TO PROVIDE FOR THE SAFE KEEPING OF GUNPOWDER IN THE TOWN OF CHARLESTOWN.

ST. 1814; but see GEN. ST. CHS. 88, 49.

No. 5.

AN ACT REGULATING THE TRANSPORTATION OF GUNPOWDER IN AND THROUGH THE TOWN OF CHARLESTOWN.

ST. 1825, CH. 78; but see ST. 1859, CH. 38; ST. 1860, CH. 203.

No. 6.

AN ACT AUTHORIZNG THE TOWN OF CHARLESTOWN TO ESTABLISH A BOARD OF HEALTH.

St. 1818; but see Charter, Sec. 13, and Gen. St. Ch. 26.

No. 7.

AN ACT IN ADDITION TO "AN ACT AUTHORIZING THE TOWN OF CHARLESTOWN TO ESTABLISH A BOARD OF HEALTH."

St. 1832; but see Charter, Sec. 13, and Gen. St. Chs. 26 and 28.

No. 8.

AN ACT TO REGULATE THE SIDEWALKS IN THE TOWN OF CHARLESTOWN.

Char. sec. 1, 20. Sect. 1. In all streets which shall hereafter be paved in the City of Charlestown, the sidewalks shall be made according to the following regulations, viz: the footpath or sidewalk, on each side of the street, shall be of a breadth not exceeding one-sixth part of the whole width of the street, and shall be paved with brick or flat stone, and shall be secured with good and sufficient hammered edgestone, on the outside of the same.

St. 1859, ch. 165. Sec. 2. Whenever any public street, or any portion of any public street, in said City, shall have been, or shall be St. 1855, ch. 11. ordered by the City Council, or Surveyors of Highways, of said City to be paved or macadamized, or covered with gravel as a substitute for pavement, each and every owner or owners, of a lot or lots, adjoining any such street or portion of a street, shall, without delay, at his or her own expense, cause the sidewalk in front of his or her land, to

be paved with brick or flat stone, and supported by hammered edgestone, and kept in repair; the same to be done under the direction and to the acceptance of the Surveyors of the Highways; and if the owner or owners of such lot or lots shall neglect or refuse to pave and support the sidewalk, as aforesaid, for the space of twenty days after he or she, or the tenant of such lot or lots, or the attorney of such owner or owners shall have been thereto required by any of the Surveyors of Highways, then it shall be lawful for said Surveyors, and they are hereby enjoined and required, to pave and support the same in manner aforesaid, or to repair the same, and shall recover the whole amount of the expense thereof, by action of contract, to be brought by the Surveyors of Highways, in the name and behalf of said City, before any court proper to try the same: *provided, nevertheless*, that whenever, in the opinion of the Mayor and Aldermen, any owner or owners, of any lot on such street, shall be unable to comply with the foregoing requisitions, the said Mayor and Aldermen may direct the Surveyors of Highways, or the Superintendent of Streets, to cause such sidewalks to be made at the expense of said city: and *provided, also*, that when there are vacant lots of land on any such street, the Surveyors of Highways may, at their discretion, allow the owner or owners thereof to cover the sidewalk with plank, and support the same with timber, which shall be removed and the edgestone and brick or flat stone pavement be completed, whenever, in the judgment of said Surveyors, it shall become necessary.

Sect. 3. No canopy, balcony, portico, or door-steps, hereafter erected in any street, lane, or alley, in the Town of Charlestown, shall project into such street, lane or alley, more than one-twelfth part of the width thereof, and in no case more than three feet, and all cellar doors hereafter made or repaired, shall be built with upright cheeks, which shall not project from the line of the house into the street,

lane or alley, more than nine inches, nor shall the platform of the same rise above the level of the sidewalk. And if any proprietor, owner, or owners, shall erect any canopy, balcony, portico, cellar door, door step, or other obstruction, contrary to the provisions of this Act, and shall refuse or neglect to remove or take down the same, within five days after having been directed and required thereto, by any of the Surveyors of Highways, such proprietors, owner or owners, shall forfeit and pay the sum of two dollars for each and every day the same shall remain, after the expiration of the said five days.

SECT. 4. All forfeitures and fines, which may be recovered in pursuance of this Act, shall go and be distributed, one moiety thereof to the poor of the Town of Charlestown; the other moiety to the town, and Surveyors of Highways. STS. 1824, CH. 16; 1855, CH. 11; 1859, CH. 165.

No. 9.

AN ACT TO INCORPORATE THE TRUSTEES OF THE POOR'S FUND IN THE TOWN OF CHARLESTOWN.

SECT. 1. The Mayor and Aldermen and the Deacons of the First Congregational Church, the Baptist Church,
Charter, sec. 3. the Universalist Church, and the New Church, all of Charlestown, for the time being, and their successors in the said offices of Mayor and Aldermen and Deacons, be, and they hereby are made a body politic and corporate, forever, by the name of the Trustees of the Charlestown Poor's Fund, for the purpose of managing certain donations given and bequeathed at different periods of time, by RICHARD RUSSELL, Esq., Capt. RICHARD SPRAGUE, Mr. THOMAS CALL, and RICHARD DEVENS, Esq., all formerly inhabitants of said Charlestown, and such other funds as may come into their hands for like purposes; and the said Trustees, by the

name aforesaid, may sue and be sued, prosecute and defend suits, with power of substitution, and may have a common seal, and the same may alter and renew at pleasure; and the two senior Deacons of all regularly organized religious churches, which may hereafter be constructed in said Town of Charlestown, shall be considered as members of said Board of Trust: *provided*, that whenever any new society shall be constituted in said Town, the Board of Trust shall be composed of the Mayor and Aldermen and two senior Deacons from each church, for the time being, and their successors in said offices.

Sect. 2. *Be it further enacted*, That the said Trustees may choose a treasurer and other necessary officers, and may adopt all needful by-laws and regulations for the government of the corporation, not repugnant to the Constitution and Laws of this Commonwealth, and the same may alter as they may find expedient and necessary.

Sect. 3. *Be it further enacted*, That the said Trustees shall have full power to receive and hold all money, securities, and other estate, real or personal, now constituting the said Poor's Fund, and also to receive and hold all gifts, grants and donations, real and personal, that may hereafter be made to increase the said fund, and the same to manage and put on interest, and to apply the income thereof, annually, for the relief of the Poor of said Town forever, conformable to the true intent and meaning of the several donors: *provided*, *however*, that the annual income of said fund shall not exceed the sum of two thousand dollars.

Sect. 4. *Be it further enacted*, That the said Trustees shall have power to make sale of any of their property, real or personal, purchased or given, as they shall judge most for the interest of their said trust, unless that which shall be given be expressly otherwise appropriated by the donor; and all monies, arising from such sale, and the subsequent income, shall be applied to the same use, to which the

property sold and the income thereof were respectively applicable; and all deeds, conveyances, contracts and other instruments, duly authorized by the Board, at a regular meeting, and signed by the President, and attested by the Secretary, shall be good and valid. St. 1825, Ch. 40.

No. 10.

AN ACT TO EMPOWER THE INHABITANTS OF THE TOWN OF CHARLESTOWN, TO CHOOSE ASSISTANT ASSESSORS.

St. 1825, Ch. 97; but see Charter, Sec. 8 and Gen. St. Ch. 18, Sec. 31.

No. 11.

AN ACT AUTHORIZING THE SELECTMEN OF CHARLESTOWN TO APPOINT A COMPANY OF HOOK AND LADDER MEN, AND ADDITIONAL ENGINE MEN.

Sect. 1. That the Selectmen of the Town of Charles-
Charter, sec. 8. town, in the County of Middlesex, be, and they hereby are, authorized and empowered to appoint a company of Hook and Ladder Men, consisting of not more than forty, whose duty it shall be under the direction of the Fire Wards in
St. 1859, ch. 120. said Town, to attend fires therein with fire hooks, fire sails and ladders, and to be subject to such further duties, and organized and provided in such manner as the said Selectmen shall, from time to time, direct.

Sect. 2. *Be it further enacted*, That the said Selectmen be authorized and empowered to appoint any number of Engine Men, not exceeding thirty-five, in addition to the number they are authorized to appoint by existing laws; and the Engine Men so appointed may be attached to any new Engine Company, which may be hereafter formed, or apportioned among any of the Engine Companies

of said Town, at the discretion of the Selectmen; and all persons appointed to any Company, pursuant to the provisions of this Act, shall continue in office during the pleasure of said Selectmen, and be entitled to all the privileges and exemptions to which Engine men now are, or may hereafter be, by law entitled. St. 1826, Ch. 21.

No. 12.

AN ACT AUTHORIZING THE CITY OF CHARLESTOWN TO ESTABLISH A FIRE DEPARTMENT.

Sect. 1. The City Council of the City of Charlestown may establish a fire department for said City, to consist of as many Engineers, Officers, Engine men and Members, as the City Council, by ordinance shall, from time to time, prescribe.

Sect. 2. The City Council shall have authority to make such provisions in regard to the time and mode of appointment, and the occasion and manner of removal of either Officers or Members; to make such requisitions in respect to their qualifications and period of service; to define their office and duty; to fix and provide for the payment of their compensation; and, generally, to make such regulations in regard to their conduct and government, and to the management and conduct of fires, and persons attending at fires, subject to penalties to be prescribed by ordinances, as they shall deem expedient; *provided*, such ordinances be not repugnant to the laws of the Commonwealth; and, *provided*, also, that the appointment of Engine Men, Hose Men, and Hook and Ladder Men shall be made by the Mayor and Aldermen. St. 1826, ch. 21.

Sec. 3. The power and duties conferred and imposed by this Act, may be carried into effect by the City Council, in any manner they may prescribe, and through the agency

of any person or board to whom they may delegate the same.

St. 1840, ch. 2. St. 1829, ch. 21.

SECT. 4. The Act entitled "An Act to establish a Fire Department in the Town of Charlestown," passed on the fifteenth day of February, in the year eighteen hundred and forty is hereby repealed.

SECT. 5. This Act shall take effect upon its passage; but it shall not operate upon existing Laws and Ordinances relating to the Fire Department of the City of Charlestown, until it shall have been adopted by the City Council thereof, and until said Council shall have passed an Ordinance establishing a Fire Department, in said City, under the authority of this Act.* ST. 1859, CH. 120.

No. 13.

AN ACT IN RELATION TO MAIN DRAINS, OR COMMON SEWERS.†

ST. 1841, CH. 115.

No. 14.

AN ACT TO ANNEX A PART OF CHARLESTOWN TO WEST CAMBRIDGE.

ST. 1842, CH. 24.

No. 15.

AN ACT TO INCORPORATE THE TOWN OF SOMERVILLE.

ST. 1842, CH. 76.

*The City Council, in pursuance of the above authority, adopted the above Act, and passed an Ordinance establishing a Fire Department, on December 27, A. D., 1859, and on September 15, 1862, repealed it and passed that now in force. See Ordinance No. 15.

†This Act was accepted by the Town on May 3, 1841. But it is now superseded by the 48th chapter of the General Statutes.

No. 16.

AN ACT CONCERNING STREETS AND PRIVATE WAYS IN THE CITY OF CHARLESTOWN.

St. 1850, Ch. 180.

No. 17.

AN ACT IN RELATION TO THE GRADES OF CERTAIN STREETS AND WAYS.*

St. 1853, Ch. 315.

Accepted by the City Council, Aug. 22, 1853.

No. 18.

AN ACT TO AUTHORIZE THE CITY OF CHARLESTOWN, AND OTHERS, TO FILL UP CERTAIN FLATS IN MYSTIC RIVER.

St. 1852, Ch. 105; St. 1853, Ch. 7.

No. 19.

AN ACT FOR SUPPLYING THE CITY OF CHARLESTOWN WITH PURE WATER.

Sect. 1. The City of Charlestown is hereby authorized to take, hold and convey by steam or other power, to, into and through the said City, by suitable aqueducts or pipes, the waters of Mystic Pond, so called, in the towns of Medford, West Cambridge and Winchester, and the waters

*The above Statutes are nearly identical. The latter has been adjudged void by the Supreme Judicial Court, in its general scope and purpose. The former has all the infirmities of the latter, with no elements of strength likely to save it from the same judgment.

Joseph B. Morse, *v.* William Stocker, et. al. 1 Allen, 150.

which may flow into and from the same, and may also take and hold, by purchase or otherwise, any land, real estate or water-rights necessary for erecting, laying and maintaining, and may erect, lay and maintain, such aqueducts, pipes, dams, gates, pumps, bridges, reservoirs, embankments, water-ways, drains or other structures as may be necessary or convenient to insure the purity of the waters of said pond, or the ponds and streams running into it, or to convey said waters into, and for the use of, the said City of Charlestown: *Provided, however*, that said City, shall not divert or draw water from any part of said Mystic Pond lying southerly of the "narrows" or "partings," so called, in said pond. And said City of Charlestown shall have power to erect and maintain a dam between the upper and lower portions of said Mystic Pond at the said "narrows" or "partings," so as to exclude the waters of the lower part from those of the upper, and raise the waters of the upper pond as high as they may judge necessary for the purposes of this Act, not to exceed, however, the level of "Bacon's dam," so called. And said City of Charlestown shall not erect any dam across Mystic River, or obstruct, or exclude the free flow of the tide into the lower Mystic Pond. Said City of Charlestown shall make and maintain a suitable fish-way in the dam hereby authorized to be constructed by them at the "partings," or "narrows," so called, and upon request, in writing, made to the Mayor of said City, by any member of the Fish Committees of the towns of Medford or West Cambridge, on or after the first day of March in each year, the same shall be forthwith opened for the passage of fish, and left open until the first day of the next September, unless a majority of both of said Committees shall sooner consent to have the same closed.

Sect. 2. For the purposes of distribution, the City may lay down pipes to any house or building in said City, the owner or owners thereof having notice and not objecting

thereto, and may make and establish public hydrants in such places as may, from time to time, be deemed proper, and prescribe the purposes for which they may be used, and may change or discontinue the same; may regulate the use of the water within and without the said City, and establish the prices or rents to be paid for the use thereof. And the said City may, for the purposes aforesaid, carry and conduct any aqueducts or other works by them to be made and constructed, over or under any water-course, or any street, turnpike-road, highway or other way, in such manner as not to obstruct or impede travel thereon, or the free flow of water therein. In carrying the pipes or conduits of said aqueduct across Mystic River, the same shall either be carried below the level of the bed of said river, or the bridge or other structure on which the same is carried over said river shall be elevated at least three feet in the clear above high-water level at the point where the same may cross said river; and may enter upon and dig up any such road, street or way, for the purpose of laying down said aqueducts or other works, and for maintaining and repairing the same.

Sect. 3. Three Commissioners shall be appointed by the City Council, who shall, during their continuance in office, execute and perform, superintend and direct, the execution and performance of all the works, matters and things mentioned in the preceding Sections, which are not otherwise specially provided for in this Act; they shall be subject to such ordinances, rules and regulations, in the execution of their said trust, as the City Council may, from time to time, ordain and establish, not inconsistent with the provisions of this Act and the Laws of this Commonwealth; they shall respectively hold their said office for the term of two years next after their said appointment, unless the aqueducts and works aforesaid shall be sooner completed; but they, or either of them, after having had an opportunity to

be heard in his or their defence, may be removed at any time by a concurrent vote of two-thirds of each branch of the City Council; and in case of a vacancy in the Board of Commissioners, by death, resignation or removal, such vacancy shall be filled by the appointment of another Commissioner, in manner aforesaid, who shall hold his said office for the residue of the said term of two years, with all the powers and subject to all the restrictions aforesaid. A major part of said Commissioners shall be a quorum for the exercise of the powers, and the performance of the duties of the said office; they shall, once in every three months, and whenever required by the City Council, make and present, in writing, a particular report and statement of all their acts and proceedings, and of the condition and progress of the works aforesaid.

Sect. 4. Before the appointment of the Commissioners aforesaid, the City Council shall establish and fix the salaries, or compensation, to be paid to the Commissioners, for their services; and the said salaries of the said Commissioners, so established and fixed as aforesaid, shall not be reduced during their continuance, respectively, in said office.

Sect. 5. Whenever the said office of Commissioner shall cease, either by the expiration of the said term of two years from the original appointment, or by the completion of the aqueducts and works mentioned in the preceding Sections of this Act, all the rights, powers and authority given to the City of Charlestown by this Act, shall be exercised by the said City, subject to all the duties, liabilities and restrictions, herein contained, in such manner and by such agents as the City Council shall, from time to time, ordain, appoint and direct.

Sect. 6. The said City of Charlestown shall be liable to pay all damages that shall be sustained by any persons in their property by the taking of any land, water or water-rights, or by the constructing of any aqueducts, reservoirs,

or other works, for the purposes of this Act. And if the owner of any land, water or water-rights, which shall be taken as aforesaid, or other person who shall sustain damage as aforesaid, shall not agree upon the damages to be paid therefor, he may apply, by petition, for the assessment of his damages, at any time within three years from the taking of the said land, water or water-rights, or sustaining damage as aforesaid, and not afterwards, to the Superior Court in the county in which the same are situate, unless sooner barred, as is provided in the seventh Section of this Act. Such petition may be filed in the clerk's office of said court, in vacation or in term time, and the clerk shall thereupon issue a summons to the City of Charlestown, returnable, if issued in vacation, to the then next term of the said court, and if in term time, returnable on such day as the said court shall order, to appear and answer to the said petition; the said summons shall be served fourteen days at least before the return day thereof, by leaving a copy thereof, and of the said petition, certified by the officer who shall serve the same, with the Mayor or Clerk of said City; and the said court may, upon default or hearing of the said City, appoint three disinterested freeholders of this Commonwealth, who shall, after reasonable notice to the parties, assess the damages, if any, which such petitioner may have sustained as aforesaid; and the award of the said freeholders, or of the major part of them, being returned into and accepted by the said court, shall be final, and judgment shall be rendered and execution issued thereon for the prevailing party, with costs, unless one of the said parties shall claim a trial by jury, as hereinafter provided.

Sect. 7. Whenever any damages shall have been sustained by any persons as set forth in the sixth Section of this Act, and such persons shall neglect to institute proceedings against the City of Charlestown, according to the provisions of this Act, for the space of twelve months, it shall

be lawful for the City of Charlestown to commence such proceedings, which shall go on and be determined in the same manner as if commenced by the persons who shall have sustained such damage; and if such persons, on receiving due notice, shall not come in and prosecute the proceedings so instituted, judgment shall be entered against them, and they shall be forever barred from recovering any damages under this Act.

Sect. 8. If either of the parties mentioned in the sixth Section shall be dissatisfied with the amount of damages awarded as therein expressed, such party may, at the term at which such award was accepted, or the next term thereafter, claim, in writing, a trial in said court, and have a jury to hear and determine, at the bar of said court, all questions of fact relating to such damages, and to assess the amount thereof; and the verdict of such jury, being accepted and recorded by the said court, shall be final and conclusive, and judgment shall be rendered and execution issued thereon, and costs shall be recovered by the said parties respectively, in the same manner as is provided by law, in regard to proceedings relating to the laying out of highways.

Sect. 9. No application shall be made to the court for the assessment of damages for the taking of any water-rights, until the water shall be actually withdrawn or diverted by the said City, under the authority of this Act.

Sect. 10. In every case of a petition to the Superior Court for the assessment of damages, as provided in the sixth, seventh, eighth and ninth Sections of this Act, the City of Charlestown, by any of its officers, may tender to the complainant, or his attorney, any sum that they shall think proper, or may bring the same into court, to be paid to the complainant for the damages by him incurred or claimed in his petition; and if the complainant shall not accept the same, with his costs up to that time, but shall proceed in the suit, he shall be entitled to his costs up to

the time of the tender, or such payment into court, and not afterwards; and the said City shall be entitled to recover its costs afterwards, unless the complainant shall recover greater damages than were so offered.

SECT. 11. For the purpose of defraying all the costs and expenses of such lands, estates, waters and water rights as shall be taken, purchased or held for the purposes mentioned in this Act, and of constructing all aqueducts and works necessary and proper for the accomplishment of the said purposes, and all expenses incident thereto, heretofore incurred or that may be hereafter incurred, the City Council shall have authority to issue, from time to time, scrip notes or certificates of debt, to be denominated on the face thereof, "Water Bonds of the City of Charlestown," to an amount not exceeding five hundred thousand dollars, bearing interest at a rate not exceeding the legal rate of interest in this Commonwealth, which shall be redeemable at a period of time not less than ten, nor more than fifty years from and after the issue of the said scrip, notes or certificates, respectively; and the said City Council may sell the same, or any part thereof, from time to time, at public or private sale, or pledge the same for money borrowed for the purposes aforesaid, on such terms and conditions as the said City Council shall judge proper; and the said City Council may, for the purpose of meeting payments of such interest as may accrue upon any certificate of debt, make such further issue of scrip, notes or certificates of debt as may be necessary therefor.

SECT. 12. The City Council may, from time to time, pass such By-Laws and Ordinances as they may deem proper for the preservation and protection of all or any of the works connected with the supplying of the City of Charlestown with pure and wholesome water, under and by virtue of this Act: *provided*, such By-Laws and Ordinances are not inconsistent with any of the Laws of this Common-

wealth, or with the Constitution thereof, subject at any time to be repealed or modified by the legislature, and may also organize a department, with full powers for the management of such works, and the distribution of the said water.

SECT. 13. The City Council shall, from time to time, regulate the price or rent for the use of the water, with a view to the payment, from the net income and receipts, not only of the semi-annual interest, but ultimately of the principal of said debt so contracted, so far as the same may be practicable and reasonable. And the occupant of any tenement shall be liable for the payment of the price or rent for the use of the water in such tenement; and the owner thereof shall be also liable, if, on being notified of such use, he does not object thereto; and if any person or persons shall use any of the said water, either within or without the said City, without the consent of the City, an action of tort may be maintained against him or them for the recovery of damages therefor: *provided, however*, that this Act shall not be so constructed as to prevent the inhabitants of Medford, West Cambridge and Winchester, from using so much of the water hereby granted as shall be necessary for extinguishing fires, and for all ordinary household purposes, under such regulations of the said City Council as may be essential for the preservation of the purity of the said water.

SECT. 14. If any person or persons shall wilfully or maliciously divert the water, or any part thereof, of any of the ponds, streams or water-sources, which shall be taken by the City pursuant to the provisions of this Act, or shall corrupt the same, or render it impure, or destroy or injure any dam, aqueduct, pipe, conduit, hydrant, machinery or other property, held, owned or used by the said City, by the authority and for the purposes of this Act, such person or persons shall forfeit and pay to the said City three times

the amount of the damages that shall be assessed therefor, to be recovered by any proper action. And such person or persons may, moreover, on indictment and conviction of either of the wilful and malicious acts aforesaid, be punished by fine not exceeding one thousand dollars, and imprisonment not exceeding one year.

SECT. 15. The said City of Charlestown is also authorized to supply with water for the extinguishment of fires or for other purposes, the cities of Chelsea and Boston, and the towns through which the line of aqueduct may pass, and for this purpose may erect and maintain such structures as may be requisite and necessary therefor: *provided*, that such supply to Boston shall not deprive the towns on the line of the aqueduct of a sufficient supply of water.

SECT. 16. The said City of Charlestown shall erect and maintain proper hydrants at such points along the line of the aqueduct as the Selectmen of the towns of Somerville and Medford shall direct: *provided*, *however*, the said City of Charlestown shall not be required to erect and maintain such hydrants at points nearer together than five hundred feet; and said towns of Somerville and Medford may at all times draw water from said hydrants without charge therefor, for the extinguishment of fires, under such regulations as the City of Charlestown may, from time to time, establish under authority of this Act; and the rates of water supplied to the inhabitants of said towns of Somerville and Medford for other purposes than the extinguishment of fires, as provided in Section fifteen, shall not exceed the rates charged for like uses in said City of Charlestown, and the payment or rental for the use of such water shall be made and collected in the same manner as herein before provided for the water distributed in the said City of Charlestown. In case the pipes for distributing said water shall be laid without expense to said City of Charlestown, such charge or rental shall be made for the use of said water, as

may be agreed upon by and between said towns respectively and said City of Charlestown.

Sect. 17. The provisions of this Act shall be void unless submitted to and approved by the voters of the City of Charlestown, at meetings held simultaneously for that purpose in the several wards, within three years from the passage of this Act, upon notice duly given, at least seven days before the time of holding said meetings.

Sect. 18. This Act shall take effect from and after its passage. St. 1861, Ch. 105. March 28, 1861.

No. 20.

AN ACT IN AMENDMENT OF "AN ACT FOR SUPPLYING THE CITY OF CHARLESTOWN WITH PURE WATER."

Sect. 1. The City of Charlestown is hereby authorized, for the purpose of constructing and repairing the works authorized by "An Act for supplying the City of Charlestown with Pure Water," approved on the twenty-eighth day of March, in the year eighteen hundred and sixty-one, temporarily to lower the waters of Mystic Pond, by erecting temporary tide-gates across Mystic River, at such times and in such manner as may be necessary for said purpose: *provided*, that such tide-gates shall not be erected at any point on said river below Alewife Brook, nor allowed at any time to continue longer than shall be absolutely required for the construction or repair of said works, and that said City shall be liable for all damages occasioned by its proceedings under this Act, to be recovered by the party sustaining the same, in the manner provided in the Act above referred to.

Sect. 2. If at any time the Governor and Council shall deem such temporary tide-gates across the Mystic River prejudicial to the harbor of Boston, they shall have power to order said tide-gates to be removed within forty-eight hours, and, if not so removed, the Governor and Counsel

may cause the same to be removed at the expense of said City of Charlestown.

SECT. 3. Such parts of any existing laws as are inconsistent herewith, are hereby repealed.

SECT. 4. This Act shall take effect upon its passage.

ST. 1863, CH. 9. Febtuary 5, 1863.

No. 21.

AN ACT CEDING JURISDICTION OVER CERTAIN LANDS IN CHARLESTOWN TO THE UNITED STATES.

ST. 1862, CH. 195.

No. 22.

AN ACT TO ESTABLISH THE POLICE COURT OF CHARLESTOWN.

SECT 1. A Police Court is hereby established in the City of Charlestown under the name of the Police Court of Charlestown, and said City shall constitute a judicial district under the jurisdiction of said Court. Said Court shall have the same jurisdiction, power, and authority, shall perform the same duties, and be subject to all the regulations provided in the one hundred and sixteenth chapter of the General Statutes, and in all general Acts which may be passed in Amendment thereof; and all provisions of law relating to civil and criminal proceedings, the taxation of costs, the payment of fines, the expenses of Court, the accounting and settling with the County, City, or Town Treasurers for the money paid into Court, and the required returns, applicable to the several Police Courts in the Commonwealth, other than the Police Court of Boston, shall apply to the Police Court of Charlestown, hereby established.

Gen. St. ch. 116, Sec. 10, 11.

SECT. 2. The said Court shall consist of one Standing Justice, two Special Justices, and a Clerk; the Justices to

Gen. St. ch. 116, Sec. 3—9.

be appointed, commissioned and qualified, pursuant to the Constitution and Laws of the Commonwealth. Said Clerk shall perform all the duties now prescribed by the General Statutes for Clerks of Police Courts; and all the provisions of law now applicable to such Clerks, shall apply to this Clerk, excepting such as apply only to the Police Court of Boston. The said Clerk shall be chosen by the City Council of Charlestown, in convention, and shall hold his office till the next annual municipal election, or until a successor is chosen and qualified. At the annual municipal election in said City, to be held on the second Monday in December, in the year eighteen hundred and sixty-two, a Clerk shall be chosen as provided in chapter one hundred and sixteen, section four, of the General Statutes, for the remainder of the term for which other Clerks of Police Courts are chosen.

Gen. St. ch. 116, Sec. 33, 34.

Sect. 3. The Justice of said Court shall receive an annual salary of twelve hundred dollars, and the Clerk an annual salary of five hundred dollars, to be paid from the treasury of the Commonwealth. The compensation of the Special Justices for duties performed by them in the absence of the Standing Justice, shall be paid by the said Standing Justice as provided by law.

Sect. 4. All proceedings duly commenced before any Trial Justice or Justice of the Peace of the County of Middlesex, before the second Monday in April, in the year eighteen hundred and sixty-two, shall be prosecuted and determined as though this Act had not been passed.

Sect. 5. This Act shall take effect, so far as the appointing, commissioning and qualifying the Justices and electing the Clerk of the said Court are concerned, upon its passage, and it shall take full effect upon the second Monday in said April. St. 1862, Ch. 107. April 4, 1862.

CITY ORDINANCES.

No. 1.

AN ORDINANCE CONCERNING THE CONSTRUCTION OF ORDINANCES.

Be it Ordained by the City Council of the City of Charlestown, as follows:

SECT. 1. All By-Laws of the City shall be called "Ordinances," and the enacting clause thereof shall be "Be it Ordained by the City Council of the City of Charlestown, as follows:"

SECT. 2. All Ordinances shall be engrossed at length by the City Clerk, in the order in which they shall be passed, in a book to be kept for the purpose, made of strong linen paper, with proper margin and index, and strongly bound, which shall be kept in the City Clerk's Office, open to the inspection of the citizens. They shall be published three weeks successively in one or more papers published in the City, and, also, such Orders of the City Council as the Mayor may direct.

SECT. 3. The Joint Standing Committee on Printing shall have the direction of the Printing of Ordinances and other documents ordered to be printed. Fifteen copies, in addition to the number ordered by the City Council, shall be printed and distributed as follows: six copies in the City Clerk's Office; two in the City Marshal's Office; and one in each of the following Rooms, namely: of the Mayor and Aldermen, Common Council, School Committee, Overseers of the Poor, Engineers, Assessors and Treasurer. The Committee on Printing shall make contracts for printing, and approve the bills therefor.

SECT. 4. Whenever any Odinance shall provide for the election of any City Officer, at or within a time specified, such

provision shall be considered as directory; and any election after the expiration of such time shall be valid.

Sect. 5. In the construction of Ordinances, the following rules shall be observed, unless the construction thereby attained would be inconsistent with the manifest intent of the City Council, or repugnant to the context of the Ordinance, that is to say — First: Whenever any thing is prohibited, the agent or employer, as well as the person actually doing such forbidden act, shall be liable to the prescribed penalty. Second: The word "Streets" includes avenues, courts, lanes, alleys, public squares, and places, and each of these words includes every other of them. Third: Whenever anything is prohibited to be done without the permission or license of some Officer or Board, such Officer or Board shall have power to permit or license such thing to be done. Fourth: When a Convention of the two branches of the City Council has been agreed upon for any specific purpose, no other business shall be transacted in said Convention unless with the unanimous consent of the members present. Fifth: Ordinances shall take effect upon their passage.

No. 2.

AN ORDINANCE TO ESTABLISH A CITY SEAL.

The following shall be the devise of the Seal of said City, to wit: In the centre thereof a view of the Bunker-Hill Monument and Monument Square; on the outer circle, around the same, the inscription shall be, "Charlestown — Founded A. D. 1628. Established a City, A. D. 1847;" within a smaller circle, as the City motto, shall be the words, "Liberty — a trust to be transmitted to posterity;" the whole to be arranged according to the impression of the Seal hereunto annexed.

No. 3.

AN ORDINANCE RELATING TO THE CALLING OF MEETINGS AND THE TIME OF OPENING AND CLOSING THE POLLS.

SECT. 1. The form of Warrants for calling Meetings of the citizens of the several Wards shall be as follows, to wit:

CITY OF CHARLESTOWN.

To any Constable of the City of Charlestown, ... Greeting.

In the name of the Commonwealth of Massachusetts, you are hereby required to warn the citizens of Ward No....., qualified to vote as the law directs, to assemble at....., on..... the.....day of....., at.....o'clock,..... noon, and from that time until.....o'clock in the afternoon, then and there to give in their ballots for.....

Hereof fail not, and make due return of this warrant, with your doings thereon.

Witness,....., Mayor of our said City of Charlestown, on this.....day of....., in the year of our Lord one thousand eight hundred and.....

By order of the Mayor and Aldermen.

.....City Clerk.

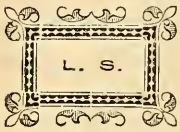
SECT. 2. The form of Warrants for calling General Meetings of the citizens, qualified to vote, shall be as follows, to wit:

CITY OF CHARLESTOWN.

To the Constables of the City of Charlestown, and to any of them, Greeting.

In the name of the Commonwealth of Massachusetts, you are hereby required to warn the citizens of Charlestown, qualified to vote as the law directs, to assemble in General Meeting at the the City Hall, on.....the.....day of..... at.....o'clock in the.....noon, then and there to.....

Hereof fail not, and make due return of this Warrant, with your doings thereon.



Witness....., Mayor of our City of Charlestown, on this.....day of..... in the year of our Lord one thousand eight hundred and.....

By order of the Mayor and Aldermen.

.....City Clerk.

SECT. 3. All Warrants, whether for calling General Meetings, or for calling Meetings of the citizens of the several Wards, shall be issued by the Mayor and Aldermen, seven days at least before the time for holding the same, and they shall contain a statement of the objects of the Meeting; they shall be signed by the City Clerk, and shall be served by any Constable of the City, by leaving a copy thereof at the residence of every citizen qualified to vote at the Meeting called thereby, and by posting a copy thereof near the place of said Meeting, seven days at least before the time of holding such Meeting. And the Constable to whom any Warrant shall be delivered for service, shall duly return the same, with his doings thereon, to the Mayor and Aldermen, if it be for calling a general Meeting; otherwise, to the Warden of the Ward named therein. And in all Warrants for calling Meetings of the citizens of the several Wards, the time of opening and closing the Polls shall be prescribed.

SECT. .4 At all Meetings of the citizens of the several Wards for the election of National, State, District and County Officers, the Polls shall be opened at nine o'clock in the forenoon, and they shall not be kept open after the hour of sunset; but in no case shall they be closed earlier than four o'clock in the afternoon.

SECT. 5. At all Meetings of the citizens of the several Wards for the election of City and Ward Officers, and other Officers other than those named in the last preceding Section, the Polls shall be opened at twelve o'clock, noon, and they shall be closed at seven o'clock in the afternoon.

SECT. 6. This Ordinance shall take effect and be in force from and after its passage.

No. 4.

AN ORDINANCE RELATING TO THE CITY CLERK.

SECT. 1. The City Council shall, in their annual appropriation bill, appropriate a definite sum, for the salary of the City Clerk, which shall be in full for all services performed by, or required of him as City Clerk.

SECT. 2. The City Clerk may employ an assistant, but such assistant shall be paid by him out of the sum appropriated as his salary, unless the City Council shall otherwise order.

SECT. 3. The City Clerk shall perform all the duties which are now required of him by the Laws of the Commonwealth, the City Charter, and the Ordinances of the City, and also all duties which may hereafter be required of him by any Law of the Commonwealth or Ordinance of the City.

SECT. 4. The City Clerk shall keep a record of all moneys and fees received by him, and for what purpose they were received; and he shall pay over the same, quarter yearly, to the City Treasurer, for the use of the City.

SECT. 5. The City Clerk shall attend all General Meetings of the citizens, which may be had by virtue of Warrants issued by the Mayor and Aldermen, and he shall open such Meeting by reading the Warrant therefor, and shall continue to preside thereat until a Moderator is chosen. He shall keep in a separate book a record of the proceedings of such Meetings, and shall insert in the record, copies of all reports or other documents, upon which said proceedings may have been founded.

SECT. 6. The City Clerk shall act as Clerk of the several joint Standing Committees, when so required of them respectively.

No. 5.

AN ORDINANCE ESTABLISHING THE OFFICE AND PRESCRIBING THE DUTIES OF A CITY SOLICITOR.

SECT. 1. In the month of March, annually, and whenever a vacancy in the office shall occur, there shall be chosen, by ballot, in convention of the two branches of the City Council, a Solicitor

for the City of Charlestown, who shall serve until his successor shall be chosen. He shall be a resident citizen of the City of Charlestown, who shall have been admitted an Attorney and Counsellor of the Courts of the Commonwealth, and who shall not hold any other office under the City Government, during the period for which he is elected, and he shall be removable at the pleasure of the City Council, by concurrent vote of the two branches.

Sect. 2. It shall be the duty of said City Solicitor, by himself, or by some person by him duly authorized, for whose conduct, skill and faithfulness he shall be accountable, to draft all bonds, deeds, obligations, contracts, leases, agreements, conveyances, and other legal instruments, of whatever nature, which may be required of him, by any Ordinance or Order of the Board of Aldermen, or of the City Council, or which, by any Ordinance or Order heretofore passed, may be requisite to be done and made by the City of Charlestown, and any person or persons contracting with the City in its corporate capacity, and which, by law, usage and agreement, the City is to be at the expense of drawing.

Sect. 3. It shall be the duty of said City Solicitor to commence and prosecute all actions and suits to be commenced by the City before any tribunal in this Commonwealth, whether in law or equity; and also to appear in, defend and advocate the rights and interests of the City, or any of the officers of the City, in any suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, Ordinances or Acts of the City Government, or any breach of any Ordinance may be brought in question. And said Solicitor shall also appear before the Legislature of the Commonwealth, or any Committee thereof, whether of either or both branches of the same, and there in behalf of the City, represent, answer for, defend and advocate the welfare and interests of said City, whenever the same may be directly or incidentally affected, whether to prosecute or defend the same; and he shall, in all matters, do all and every professional act, incident to the office, which may be required of him by the City Government, or by any joint

or special Committee thereof, or by any Ordinance or Order heretofore passed; and he shall, when required, furnish the Mayor, the Board of Aldermen, the Common Council, or any joint or special Committee of either branch thereof, and to any Officer of the City Government, who may require it in the official discharge of his duties, with his legal opinion on any subject touching the duties of their respective offices.

Sect. 4. In full compensation for all the services of said Solicitor, he shall receive, for the current year, the sum of five hundred dollars, and afterwards such salary as the City Council may, from time to time, fix and determine. In all cases, however, when his attendance may be required out of the City, his reasonable travelling expenses shall be allowed him.

No. 6.

AN ORDINANCE ESTABLISHING THE OFFICE OF CITY MESSENGER.

Sect. 1. There shall annually be chosen by the City Council, as soon as practicable after its organization, by concurrent vote, a Messenger to the City Council, who shall hold his office during the municipal year and until another is chosen in his place, subject to removal at any time, by the City Council.

Sect. 2. The Messenger shall receive such compensation as the City Council shall determine.

Sect. 3. The Messenger shall deliver all messages, notifications, and other papers and documents, when thereto directed by the Mayor, President of the Common Council, the City Council, or either branch thereof, or any Committee of the same, or the City Clerk, and make due return thereof. He shall also deliver all notifications to officers elected at Ward Meetings.

Sect. 4. He shall attend on both branches of the City Council, when in session, and on either, when in session separately, on the different Boards and Committees connected with the municipal government of the City; and under the proper Committees and Officers, provide all things necessary for their accommodation.

Sect. 5. He shall have the care and superintendence of the City Hall, and shall keep its various halls and apartments clean and in good condition, for ordinary use, and for any occupation which shall be permitted under the authority of the City Council; he shall also cause the same to be well warmed and lighted, when necessary. He shall prepare the rooms selected for Ward Meetings, and have the same put in good order after said Meetings have been held. He shall, at all times, be subject to such further orders as the City Council may, from time to time, adopt.

Sect. 6. In case of the removal, resignation or death of the City Messenger, a successor shall thereupon be elected in the same manner as hereinbefore provided for the election of such officer.

No. 7.

AN ORDINANCE ESTABLISHING A SYSTEM OF ACCOUNTABILITY IN THE EXPENDITURES OF THE CITY.

Sect. 1. There shall be appointed at the commencement of each municipal year, a Joint Standing Committee on Accounts, consisting of two members of the Board of Aldermen, and three members of the Common Council; which Committee shall meet once, at least, every month, and carefully examine and audit all accounts and claims against the City which shall be laid before them, certified as provided in the succeeding section, and shall allow and pass the same, if found to be correct.

Sect. 2. No account or claim against the City other than judgments of the Courts, shall be received and acted upon by the Committee on Accounts, unless such account or claim shall be accompanied by a certificate of the Mayor, President of the Common Council, or of some officer, committee, or agent authorized on behalf of the City, to make the contract, or cause the expenditure to be made, that the same is correct.

Sect. 3. The City Clerk shall receive all accounts and claims from persons having demands against the City which shall have

been certified, as provided in the preceding section. He shall carefully examine all such accounts and claims, and see that they are all correctly cast, and present the same neatly folded, filed and labelled, to the Committee on Accounts. He shall keep a book, in the manner and form said Committee shall direct, wherein he shall enter the date and amount of every account and claim against the City, as finally corrected and allowed by said Committee, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid; and the certificate of the said Committee, allowing any such account or claim, shall be made in the book thus kept by the City Clerk. He shall also cause all books, papers, vouchers, and documents under his care, belonging to the City, to be securely deposited and kept in some one of the fire-proof offices or vaults belonging to the City. And he shall render such other services, and furnish such other information respecting the accounts, finances and payments of the City, as either branch of the Council, or any Committee thereof, from time to time may require.

Sect. 4. The City Clerk shall also, under the direction of the Committee of Accounts, keep a book or ledger, in which he shall enter the various appropriations made by the City Council, each under its appropriate head, and charge to each the different payments and expenditures, that from time to time shall be made therefrom. Whenever any appropriation shall be expended, the City Clerk shall immediately give notice thereof, to the Mayor, to the Committee on Finance, and to the Committee on Accounts; which last named Committee shall pass or allow no claim nor account, chargeable to any head of appropriation, which is expended, until the City Council shall have provided the means of paying the same. He shall open an account with the Treasurer, charging him with the whole amount of taxes assessed for collection, and also with the amount of loans and sums of money that may be borrowed for the City, and all securities and sums receivable, in order that the value, and description of all personal

property belonging to the City may be seen at any time in his books.

Sect. 5. No money shall be drawn out of the City Treasury, except upon the written order of the Mayor, addressed to the Treasurer and countersigned by the City Clerk, and numbered so as to correspond with the number on the account or claim it shall be drawn to pay.

Sect. 6. The Mayor is hereby authorized to draw orders on the Treasurer, for the payment of all accounts and claims allowed and certified by the Committee on Accounts, as provided in the first section; but he shall not draw his order on the Treasurer for the payment of any account or claim against the City, excepting as provided in the succeeding section, unless the same shall have been allowed and certified by the Committee on Accounts; nor shall draw any order in payment for any services rendered, or any materials furnished for any department, beyond the sum specifically appropriated therefor by the City Council.

Sect. 7. Any sum of money, which shall have been specifically appropriated for the payment of principal or interest due on any note or other security of the City of Charlestown, may be drawn from the Treasury and paid by the order of the Mayor, for the purpose for which it was appropriated, without any action on the part of the Committee on Accounts.

Sect. 8. Whenever it shall be necessary to pay money in advance, on contracts made, or for work begun and not completed, the Mayor, upon the receipt of a certificate from the Committee having such work in charge, shall draw his order on the Treasurer for any sum not exceeding five hundred dollars at any one time.

Sect. 9. Whenever any money shall be drawn from the Treasury for the purposes specified in the preceding section, the City Clerk shall report the same, and the amount thereof to the Committee on Accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

Sect. 10. All city officers who shall in their official capacity, receive any money on behalf of the City, shall pay to the

Treasurer the amount in their hands, once in three months, and oftener if required. All other persons who shall have money in their hands belonging to the City, shall forthwith pay the same to the Treasurer.

SECT. 11. All city officers and agents, receiving money in behalf of the City, shall deliver to the City Clerk once in each month, a report in detail of the amount received, and what disposition has been made thereof, except in cases otherwise provided.

SECT. 12. The City Treasurer shall, under the direction of the Committee on Accounts, keep in a book provided for the purpose, an accurate and true account of all his receipts and payments on behalf of the City, making the same conform in the mode of entry, as nearly as may be, with the accounts kept by the City Clerk. He shall not pay any money out of the City Treasury, except upon orders of the Mayor, drawn in the form prescribed in the fifth section. He shall, once in six months, and oftener if required, lay before the City Council a statement of the condition of City Treasury, and of all monies received and paid by him, on City account, during the preceding six months.

SECT. 13. There shall be appointed at the commencement of each municipal year, a Committee on Finance, consisting of the Mayor, two members of the Board of Aldermen, the President, and four members of the Common Council, which Committee shall negotiate all loans to the City which shall be authorized by the City Council, and shall report the amount to the City Treasurer.

SECT. 14. The Committee on Finance shall, in the month of January or February, annually, prepare and lay before the City Council, an estimate of the amount of money necessary to be raised for the ensuing financial year, under the various heads of appropriation, and the ways and means of raising the same; and shall also, in the month of March, annually, prepare and lay before the City Council a statement of all the receipts and expenditures of the preceding financial year, giving in detail the amount of appropriation and expenditure for each department; and said statement shall be accompanied with a schedule of the

property, real and personal, belonging to the City, and the value thereof, and of the amount of the City debt.

Sect. 15. The Committee on Finance shall, at the close of each financial year, and as much oftener as they shall deem it expedient, examine and audit the accounts of the City Treasurer and Collector, and for that purpose shall have access to all books and vouchers in his possession, or in possession of the City Clerk, or any other officer of the City. The said Committee shall not only compare said accounts with the vouchers therefor, but shall ascertain whether all moneys due the City have been collected and accounted for; they shall also examine all notes and securities in the Treasurer's hands, belonging to the City, and make report thereof to the City Council.

Sect. 16. The City Clerk shall give bonds in the penal sum of three thousand dollars, for the faithful performance of all the duties prescribed for him in this Ordinance, and for the delivery to his successor of all books, papers, and property, belonging to said office; and for the faithful performance of his duties.

Sect. 17. The City Treasurer and Collector shall give bonds with sufficient sureties, to the satisfaction of the Mayor and Aldermen, in the sum of forty thousand dollars, for the faithful performance of the duties of the said office of Treasurer and Collector, and that he will truly and justly account for all moneys that may come into his hands, and pay over all moneys remaining in his hands, to his successor in office.

Sect. 18. The City Treasurer shall make up his accounts to the first day of March, and the financial year shall begin and end on the first day of March, in each year.

Sect. 19. The bonds of the City Clerk, and the City Treasurer, shall be deposited with the Mayor, for the time being, for safe keeping; by whom the same shall be immediately transferred to his successor in said office.

No. 8.

AN ORDINANCE TO ESTABLISH A BOARD OF HEALTH.

SECT. 1. The Mayor and Aldermen shall constitute the Board of Health for all purposes, and shall exercise all the powers vested in, and shall perform all the duties prescribed to the City Council as a Board of Health.

SECT. 2. The execution of the Laws and Ordinances relating to the subject of internal health shall be under the superintendence of the City Marshal; and it shall be his duty to enforce all Laws, Ordinances, Regulations and Orders, relating to causes of sickness, nuisances, and sources of filth, except as is otherwise provided in this Ordinance, subject to the direction, authority and control of the Mayor and Aldermen.

SECT. 3. The owner, agent or occupant having the care of any tenement used as a dwelling-house, shall furnish the same with a sufficient drain, under ground, to carry off waste water; and also with a suitable privy, sufficient for the accommodation of all who may use it.

SECT. 4. All vaults or privies shall be so constructed that the inside of the same shall be at least two feet distant from the line of every adjoining lot or street, and the same shall be kept tight, nor shall the contents of any vault be allowed to accumulate to within twelve inches of the even surface of the ground, or otherwise become offensive. There shall be no communication between any vault and any common sewer or drain, by which the solid contents of any such vault can pass into the same.

SECT. 5. If any owner, agent or occupant of any land in which any vault or drain may be situated shall neglect or refuse to cleanse the same, after being notified by the City Marshal that the same has become offensive, he shall forfeit and pay a sum not exceeding ten dollars for every week he shall neglect or refuse to cleanse the same.

SECT. 6. No vault or privy shall be emptied without a permit from the City Marshal, nor in any other mode or time than he shall direct, conformable to such contract as the Mayor and

Aldermen shall make on the subject, and always at the expense of the owner, agent or occupant having charge of the tenement or premises in which such vault or privy is situated.

Sect. 7. All waste water shall be conveyed through sufficient drains, under ground, to a common sewer, or to such reservoir, sunk under ground, as shall be approved by the Superintendent of Drains. And no person shall suffer any waste or stagnant water to remain in any cellar or upon any lot or vacant ground by such person owned or occupied.

Sect. 8. Whenever, upon due examination, it shall appear to the City Marshal that the number of persons occupying any tenement or building in the City is so great as to be the cause of nuisance or sickness, or the source of filth; or that any tenement or building is not furnished with vaults constructed according to the provisions of this Ordinance, or with sufficient privies or drains, under ground, for waste water, he may thereupon issue his notice, in writing, to such persons, or any of them, requiring them to remove from and quit such tenement or building within such time as he shall deem reasonable. And if the person or persons so notified, or any of them, shall neglect or refuse to remove from and quit such tenement or building within the time mentioned in such notice, the City Marshal is hereby authorized and empowered thereupon forcibly to remove them; and such person or persons so neglecting or refusing shall be liable to a fine for each and every day such neglect or refusal shall continue as hereinafter provided.

Sect. 9. The Mayor and Aldermen are hereby authorized to contract with suitable persons for the collecting and carrying away of the house offal of the City, and to sell or dispose of the same, and to make such rules and regulations in relation thereto, as they may deem necessary.

Sect. 10. All house offal shall be deposited in convenient vessels, and kept in some convenient place, to be taken away by the City scavengers, which shall be done not less than twice in each week, and none but City scavengers shall be allowed to remove the same. And it shall be their duty forthwith to deliver

all property found by them in such offal to their Superintendent, to be kept for the owners of the same.

SECT. 11. No person shall throw or put into any public place, or pond, or body of water, any dead animal, dirt, or rubbish whatsoever. Nor shall any person throw into or upon any docks, flats, or tide water within the jurisdiction of the City, any dead animal, filth, or offensive matter.

SECT. 12. All dirt, rubbish or filth of any kind in any house, warehouse, store, cellar, yard, unaccepted street, or other place which the Mayor and Aldermen shall deem injurious to the health or safety of the City, shall be removed by the owner or occupant of such house, warehouse, store, cellar, yard, unoccupied street, or other place where the same shall be found, within twenty-four hours, or such other time as the Mayor and Aldermen shall deem reasonable, after notice, in writing, to that effect, served personally upon such owner or occupant, or their authorized agent, by any person competent to serve any civil process, or left at the owner, occupant, or agent's last and usual place of abode, if the same be known and be within the state, or such removal shall be made under the direction of the Mayor and Aldermen, and the expense thereof borne by such owner or occupant, and in addition they, or either of them, shall be liable to the penalties hereinafter provided.

SECT. 13. No person shall keep any goat, swine, or cow within the limits of the City, without the license of the Mayor and Aldermen, and only in such place and manner as they shall determine: and any such license may be at any time modified or revoked. And for each license so granted there shall be paid to the City Clerk, for the use of the City, the sum of one dollar by the person receiving such license.

SECT. 14. No person shall drive any cart, or other vehicle containing night-soil, or used for conveying the same, in any street between the hours of four o'clock, A. M., and ten o'clock, P. M.

SECT. 15. No person shall bring into the City, for sale, any diseased, putrid, stale or unwholesome meat, vegetables, fish or provisions.

Sect. 16. No person shall boil, burn or decompose in the City, any bones or other refuse parts of any neat cattle or other animal.

Sect. 17. No person shall slaughter any ox, cow, swine, or other animal, except that, upon application of the owner or keeper of any swine kept in the City by virtue of a license granted by the Mayor and Aldermen, the City Marshal may give permission, in writing, to slaughter such swine in such place as he may approve.

Sect. 18. Any person who shall violate any of the provisions of this Ordinance shall be liable to a fine not exceeding twenty dollars, and a like penalty for every day such offence shall be continued or repeated, except where otherwise herein provided.

No. 9.

AN ORDINANCE RELATING TO THE ASSESSMENT AND COLLECTION OF TAXES.

Sect. 1. The Assessors shall make their valuation of estates and complete the assessment of Taxes, and place a list thereof in the hands of the Collector, on or before the first day of September, in each year.

Sect. 2. The Assessors may, in their discretion, transfer the amount of Taxes assessed on real estates, not owned at the time of assessment by the persons charged with such Taxes, to the persons by whom the said real estates were owned at that time.

Sect. 3. All personal estate, of which no schedule shall be furnished to the Assessors, as provided by law, shall be doomed by the Assessors.

Sect. 4. The Assessors, if they shall abate any Tax, wholly or in part, shall keep a record thereof in a book to be provided for that purpose, which record shall contain the name of the person whose Tax shall be so abated, the amount of his Tax as originally assessed, the amount abated, and the reason for such abatement; and they shall lay such record before the City Council, in the first week of January, annually.

The Assessors shall decide fully upon all applications for abatement, on or before the first day of November, in each year, and they shall, annually, on or before the first day of January, report to the City Clerk all abatement of Taxes made by them.

SECT. 5. The City Treasurer shall be the Collector of Taxes, and of all assessments, rents and other sums payable to the City, not otherwise specially provided for.

SECT. 6. The Assessors shall deliver to the Collector a list of the Taxes for all Poll Taxes assessed by them on persons who shall be assessed for a Poll Tax only, with a warrant for collecting the same, as soon as the amount of such Tax in each year can be ascertained, and such Poll Tax shall be paid on demand after legal notice; and if not so paid to the Collector, he shall forthwith proceed to collect the same in the manner provided by law for the collection of Taxes from delinquents.

SECT. 7. The Collector shall, within thirty days after the Assessors shall have placed any list of Taxes in his hands for collection, deliver to every person on whom any Tax other than a Poll Tax shall have been assessed, or leave at his place of residence or business a bill of such Taxes, which shall be equivalent to a special demand of payment thereof by the Collector; and in case any such Tax shall be due and unpaid on the first day of November, in each year, the Treasurer shall issue a summons to the person or corporation from whom such Tax shall be due, and if said Tax and the sum of twenty cents for said summons be not paid within ten days after the delivery or service of said summons, a warrant shall be issued for the collection of the same according to law.

SECT. 8. The Collector shall, in every case, exact the payment of the sum of twenty cents for the summons, when issued, and also all fees for collection, which are allowed by law, together with interest from said first day of November, when the Tax is not paid within ten days after the service of said summons. He shall keep a record of sums and fees so paid, and of the persons by whom they are paid, which record he shall lay before the City Council on or before the second Monday in February, in

each year; and all of said sums and fees when received by him shall be paid into the City Treasury: *Provided*, however, that upon summonses for Poll Taxes only, the Collector may retain the fees thereon, to pay the expense of collecting such Poll Taxes, and shall not be required to keep any record or make return thereof.

SECT. 9. The Collector shall, within the financial year for which he shall be chosen, collect all Taxes and assessments committed to him, from all persons against whom he shall have any such Tax or assessment, and who shall be resident in or have sufficient goods or estate within the City; and he may, for this purpose, pursue any of the remedies by law in such cases provided.

SECT. 10. All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

No. 10.

AN ORDINANCE IN RELATION TO STREETS.

SECT. 1. All petitions for laying out, widening, altering or discontinuing any street or way, shall first be presented to the Board of Mayor and Aldermen, and be referred by them to the Joint Standing Committee for laying out, altering and discontining Streets and Ways, whose duty it shall be, on receiving any and all petitions for such purposes, to proceed according to the provisions of law, which relate to laying out town and private ways, viz: By notifying and hearing the parties concerned, viewing the premises, estimating damages, when sustained by individuals, causing the admeasurements and boundaries to be distinctly marked out on the premises, and also described in their report; said report to be lodged in the City Clerk's office seven days, at least, before any action of the City Council on the same, and to be first taken up and acted upon by the Board of Mayor and Aldermen. *Provided*, that if said Committee, after having considered the subject, shall deem the prayer of the petitioners

inexpedient, they may, without further action, report an order for postponement, or for giving the petitioners leave to withdraw.

SECT. 2. The several streets in the City shall continue to be called and known by the names by which they are now known until the same shall be altered by the City Council.

SECT 3. The Mayor and Aldermen shall, at their discretion, have power to cause numbers, of regular series, to be affixed to or inscribed on all buildings erected or fronting on any street, within the City of Charlestown; and shall also have power to determine the form, size and material of such numbers, and the manner of affixing them thereon.

SECT. 4. Any owner of any building, or part of a building, who shall neglect or refuse to affix to the same the numbers designated by the Mayor and Aldermen, or by some person by them duly authorized, or who shall affix or retain there, for more than three days, any number contrary to their direction, shall be liable to the penalties hereinafter prescribed.

SECT. 5. There shall be chosen, by the City Council, in convention and by ballot, in the month of January or February, of each municipal year, and whenever a vacancy occurs, a Superintendent of Streets, and of Public Buildings, who shall hold his office at the pleasure of the City Council, and whose compensation shall be determined by said Council.

SECT. 6. The said Superintendent shall, under the direction of the Joint Standing Committee on Repairs of Streets, have the general care and charge of the highways, streets, lanes, squares, sidewalks and bridges of the City, and shall attend to the making, improving and alteration thereof, and shall cause the same to be kept in good repair, so as to be safe and convenient for travellers. He shall see that all nuisances and obstructions therein are forthwith removed, or give notice to the Mayor or City Marshal. He shall see that the snow is shovelled from the sidewalks in front of the City buildings, burial grounds and public commons. He shall also see that the trees in the streets or on the public grounds are properly protected, pruned or trimmed, and otherwise taken care of, and that they be replaced by other trees when nec-

essary. He shall, under direction of said Standing Committee, make all necessary contracts for the supply of labor or materials which he may require in the discharge of his official duty; and also perform such further duties as may be required by any Ordinance of the City. And he shall, under the direction of the Committee on City Property, repair the yards and the exterior of the several school-houses and public buildings, when necessary.

Sect. 7. Whenever any street or bridge of the City shall, from any cause, be unsafe for travel, the said Superintendent shall forthwith put up a suitable fence across such street or bridge, and exclude travellers from passing the same; or cause such parts thereof as are unsafe to be enclosed by a sufficient fence; and he shall keep one or more lighted lanterns about the place every night, so long as said fence shall be kept standing.

Sect. 8. The said Superintendent, under direction of the Committee on Repairs of Streets, shall have charge of the City teams and stables, and make all necessary arrangements for cleaning the streets, disposing of manure, and removing house dirt.

Sect. 9. Whenever the said Superintendent shall sell any property belonging to the City, or shall do or cause to be done any work for any individual for which money shall become due to the City, he shall enter in books, to be kept for that purpose, all such sales, and work done, with the price thereof, and shall make out bills for the same and deliver them to the City Treasurer, for collection; and the Treasurer shall forthwith demand payment of said bills. And in case any bills or dues under this Ordinance shall remain unpaid at the expiration of three months after demand of payment, as aforesaid, the Treasurer shall cause the same to be collected by a resort to the proper legal process; and this he may do at any time before the expiration of said three months if, in his discretion, the interest of the City so requires.

Sect. 10. The said Superintendent shall, on the first of every month, prepare a roll of all debts due for labor or materials contracted by him, and present the same, with the bills approved, to the Committee on Repairs of Streets, who shall approve the

roll, if found correct; and it shall then be presented to the Committee on Accounts.

Sect. 11. No person shall break or dig up any part of any street or common in the City, or erect any building or place, or deposit any building materials thereon, without first obtaining a written license from the Mayor and Aldermen, and complying, in all respects, with the conditions of such license.

Sect. 12. Every person intending to erect or to repair any building upon land abutting on any street in the City, shall make the same known to the Mayor and Aldermen, who shall have power and authority to allot such portion of any street thereto adjoining, as they, or some person duly authorized by them, shall deem expedient and necessary. And all rubbish or other substance arising therefrom or thereby, shall be carried away by the person or persons so building or repairing, at such time as the Mayor and Aldermen may direct; and in case of neglect or refusal so to do, the Superintendent of Streets shall cause it to be removed at the expense of the person or persons so building or repairing, as aforesaid.

Sect. 13. Whenever any street in the City shall, under any license obtained as provided in the preceding sections, be obstructed or otherwise rendered unsafe for travel, the person so licensed shall keep a suitable railing or fence, sufficiently lighted every night, round the section or part of any street obstructed, so long as said obstruction continues. He shall, also, within such reasonable time as the Mayor and Aldermen direct, amend and repair such street to their acceptance.

Sect. 14. No person shall make or maintain any door step, portico, porch, entrance or passage-way to any cellar or basement, or any other structure in or upon any street or sidewalk in the City, without permission from the Mayor and Aldermen, except windows, the lowest part of which shall be ten feet above the sidewalk. No person shall suffer the platform or grate of the entrance or passage-way to his cellar or basement, in any street or sidewalk, to rise above the surface thereof; and every such

entrance or passage-way shall, at all times, be kept covered by a suitable and substantial platform or grate, unless authorized to be kept open by the Mayor and Aldermen; and in case it shall be kept open, it shall be protected by a sufficient railing on both sides thereof, at least two feet and a half high, and well lighted at night. No person shall suffer his well, cistern or drain in any street or sidewalk to remain open or uncovered, unless the same shall be enclosed by a strong and safe curb, guard or fence, and also well lighted at night.

SECT. 15. If any person shall dig any cellar or other cavity in the ground near to or adjoining any street, he shall, so long as necessary for the purpose, keep a railing or fence on or near the line of such street, sufficient to protect travellers from falling into the same, or being injured thereby.

SECT. 16. No person shall put or place in any street, any house dirt, ashes, filth, or other rubbish, except in such place and in such manner as the Mayor and Aldermen may prescribe.

SECT. 17. No person shall suffer his fuel to remain on any sidewalk, or in any street, over night, nor unnecessarily obstruct the same.

SECT. 18. No person shall move any building through any street, without first obtaining a license from the Mayor and Aldermen.

SECT. 19. No owner or person having the charge of any horse, cow, swine, goat, sheep, or other grazing animal, shall allow the same to go at large in any street, or other public place.

SECT. 20. No person shall place in front of any building, any awning or shade less than seven feet and a half in height at the lowest part thereof; nor shall such awning or shade extend beyond the line of the sidewalk. And no person shall erect any post in any street or sidewalk, for the support of any awning, or for any other purpose, except by license of the Mayor and Aldermen.

SECT. 21. No person shall play at ball, hurley, foot ball, or use a bow and arrow, or throw stones, snowballs, or other missiles, or coast upon any sled or sleigh, in or into any street, or other public place.

SECT. 22. No person shall expose in or upon any street or common, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device, in or upon any street or common in the City. No person shall place or keep any table, stall, booth, or other erection, in any street in the City, for the sale of fruit, or other thing, without permission first obtained from the Mayor and Aldermen.

SECT. 23. No person shall behave himself in a rude and disorderly manner, or use any indecent, profane or insulting language in any street in the City, or near any dwelling house, or other building therein, or be or remain upon any sidewalk, or upon any doorstep, portico, or other projection from any such house or other building, to the annoyance or disturbance of any person. No person shall make any indecent figures, nor write any indecent or obscene words upon, or mar, disfigure or deface any fence, building, or other public place within the City, nor shall any person, by any noise, gesture or other means, wantonly and designedly, frighten or drive any horse or horses, in any street in the City.

SECT. 24. No person shall suffer his or her building to shed water on any sidewalk or street in this City, to the injury or inconvenience of passengers.

SECT. 25. No person shall place or suspend, or cause to be placed or suspended, from any house, store, shop, lot or place, in, upon, or over any street or sidewalk, any goods, or any other thing, so that the same shall extend or project more than one foot over any street or sidewalk.

SECT. 26. No person shall hang, affix, or fasten any sign, show-bill, lantern, or show-board, which shall project into any street, or over any sidewalk more than one foot. Nor shall any such projection be so placed as to interfere with the travel upon any street.

SECT. 27. No person, unless duly licensed by the Mayor and Aldermen, shall ring any bell, or use any horn or other instru-

ment in any street, to give notice of the exercise of any business, or calling, or for the sale of any article.

Sect. 28. No person shall make, or cause to be made, any aperture in or under any street or sidewalk, for the purpose of constructing coal-holes or receptacles for any other articles, or for light and air, or for any other purpose, without the license of the Mayor and Aldermen. And no person shall leave such coal-hole or aperture open or unfastened, except while actually in use.

Sect. 29. No person shall ride or drive any horse or horses attached to a vehicle of any description, or permit the same to go in any street, or over any bridge in the City, at a faster rate than six miles an hour, or so as to endanger, or expose to injury, any person in or upon the same.

Sect. 30. No person shall drive, wheel, or draw any coach, cart, or other vehicle of burden or pleasure, except carriages for children, drawn by hand, or permit any horse, under his care, to go upon any sidewalk in the City, or otherwise occupy, obstruct or encumber any such sidewalk, so as to interfere with the convenient use of the same by all passengers. No person shall stop his team or vehicle, or unnecessarily place any other obstruction on any flagging stones laid in or across any street in the City, or shall unnecessarily leave any team, vehicle, or any other obstruction in any street in the City.

Sect. 31. No person, in a nude state, shall swim or bathe in any of the waters within or surrounding the City, so as to be exposed to the view of other persons in any street or house within the City.

Sect. 32. No person shall, except in the performance of some duty required by law, discharge any gun, pistol or other firearm, loaded with balls or shot, or with powder only, within the principal inhabited parts of the City.

Sect. 33. No person shall injure, deface or destroy any guide post, or guide board, any lamp post or lamp, or lantern thereon, nor any tree, building, fence, post or other thing set, erected or made for use or ornament of the City.

Sect. 34. No person shall fire any squib, cracker, serpent, or

other preparation whereof gunpowder is an ingredient, or which consists wholly of the same, or make any bonfire in or upon any street or wharf within the City, except by the authority of the Mayor and Aldermen.

SECT. 35. The owner, tenant, occupant, and any other person having the care of any building or lot of land bordering upon any street within the City, where there is any footway or sidewalk used as a common thoroughfare, shall, after the ceasing to fall of any snow, if in the day time, within six hours, and if in the night time, before two of the clock in the afternoon succeeding, cause the same to be removed therefrom; and in default thereof, shall forfeit and pay a fine of not less than one dollar and not more than four dollars for each and every day that the same shall afterwards remain on such footway or sidewalk. And the provisions of this section shall also apply to the falling of snow from any building.

SECT. 36. Whenever the sidewalk or any part thereof adjoining any building or lot of land on any street shall be encumbered with ice, it shall be the duty of the owner, tenant, occupant, and any other person having the care of such building or lot, to cause said sidewalk to be made safe and convenient, by removing the ice therefrom, or by covering the same with sand or some other suitable substance; and in case such owner, tenant, occupant, or other person shall neglect so to do for the space of six hours during the day time, he shall be liable to the penalty hereinafter provided, and a like penalty for every day that the same shall continue so encumbered.

SECT. 37. Any person who shall throw or put, or cause to be thrown or put, any snow or ice into any street in the City, except that removed from the sidewalk, shall cause the same to be broken up and spread evenly over the surface of the street.

SECT. 38. No person shall place or cause to be placed upon any footpath or sidewalk in the City, any article or thing whatsoever, so as to unnecessarily obstruct a free passage for foot passengers, and no obstruction shall remain for more than thirty minutes.

Sect. 39. The foregoing provisions shall not be taken or construed as limiting in any manner the legal rights and duties of the Surveyors of Highways to make any alterations and repairs in the streets, which they may deem the safety and convenience of the inhabitants, or the interests of the City to require.

Sect. 40. Any license or permission which may be granted or given by virtue of any of the provisions of this or any other Ordinance, may be revoked and annulled at any time by the Mayor and Aldermen; and no license or permission granted or given by virtue of the provisions of this or any other Ordinance, or anything done, or right acquired by virtue of the same, shall entitle any person or persons to a continuance of such license, permission or thing done, or right acquired.

Sect. 41. Any person who shall offend against any of the provisions of this Ordinance shall forfeit and pay for each and every offence a sum not less than one dollar nor more than twenty dollars; and a like penalty for every day such offence shall be repeated or continued.

The provisions of this section shall not apply to any offence where a different penalty is provided in this Ordinance.

No. 11.

AN ORDINANCE IN RELATION TO COMMON SEWERS AND DRAINS.

Sect. 1. Common Sewers or Main Drains which shall be ordered by the Mayor and Aldermen to be made, shall be laid in such places and manner, and shall be made of such materials and dimensions as the Committee on Drains shall direct, unless the Mayor and Aldermen specially determine otherwise.

Sect. 2. The Committee shall have full power to direct and control the places and manner of constructing and entering all particular Drains entering such Common Sewers.

Sect. 3. Every owner of land adjoining a street in which there is a Common Sewer, if ordered by the Mayor and Aldermen, shall make a sufficient Drain from his premises in such

manner and within such time as the Mayor and Aldermen shall determine, who may cause the same to be done, if such owner neglects to comply with such order and determination, in which case the cost and expenses thus incurred may be recovered of such owner, in an action in the name of the City, in any Court of competent jurisdiction.

SECT. 4. Rain Water may be conducted from buildings into Common Sewers, only by tight water spouts or tubes, laid under ground, and under the direction of the Superintendent of Drains.

SECT. 5. Every person who shall enter a Drain into a Common Sewer or Main Drain, without a permit, in writing, from the Mayor and Aldermen or Superintendent of Drains, shall be punished by a fine not exceeding twenty dollars and shall also pay all damages occasioned by his act, as assessed by the Mayor and Aldermen.

SECT. 6. The Superintendent of Streets shall be Superintendent of Drains, under the direction of the Committee on Drains; he shall have the superintendence of all Main Drains, Common Sewers and Reservoirs, and take charge of building and repairing the same, and make all contracts for the supply of labor and materials therefor. Whenever any such Sewer, Reservoir or Drain is built or repaired, he shall make an accurate plan of its depth, breadth, mode of construction and general direction, insert the same in a book kept for the purpose, and insert on said plan all entries into the same then existing, and as they are thereafter made.

SECT. 7. The Superintendent shall keep an accurate account of the cost and expenses of each Common Sewer, Main Drain and Reservoir, and make report thereof to the Mayor and Aldermen.

SECT. 8. The Mayor and Aldermen shall make assessments for all Common Sewers heretofore constructed by the City, the expenses of which have not already been assessed and collected in the same manner as for those which may hereafter be constructed; and the Superintendent shall render all the services and perform all the duties in regard to the Common Sewers

heretofore constructed, the expenses of which have not already been assessed and collected, which he is required to render and perform in regard to those hereafter to be constructed.

Sect. 9. In making assessments for constructing or repairing Common Sewers or Main Drains, the Mayor and Aldermen may deduct from the expenses such part as they may deem expedient, to be charged to, and paid by the City, and shall apportion and assess the remainder, or the whole if no deduction be made, upon the persons and estates benefitted by the Common Sewer or Main Drain, either by the entry of their Drains therein, or by any more remote means, and shall prescribe when such assessments shall be paid. Before making such assessments the Mayor and Aldermen shall give notice in one or more newspapers, published in the City, of a time and place when interested parties can be heard in relation thereto; but such hearing may be before a Committee of the Mayor and Aldermen.

Sect. 10. The Mayor and Aldermen shall deliver a list of such assessments, when made, to the Treasurer, for collection, and he shall forthwith, in writing, demand the same of the parties liable, in the manner prescribed by law, and proceed in the collection thereof, according to the provisions of the General Statutes.

No. 12.

AN ORDINANCE IN RELATION TO BURIAL GROUNDS AND THE BURIAL OF THE DEAD.

Sect. 1. The department relative to the interment of the dead, shall be under the control of one Superintendent, to be called the Superintendent of Burials, whose duty it shall be, and he shall have power to carry into execution all the power and authority vested in the City Council relative to the interment of the dead, the establishment of the burial grounds, the regulations of funerals and funeral processions, subject always to the direction, authority and control of the Mayor and Aldermen; and it shall be the duty of said Superintendent to carry into effect all

the ordinances of the City Council, and the laws of the Commonwealth, relative thereto.

Sect. 2. Said Superintendent shall be chosen by concurrent vote of the City Council in the month of March, annually, to be always first acted upon by the Board of Mayor and Aldermen, and he shall hold his office until the next annual election, unless previously removed by the City Council, by vote; and thereupon, or in case of his death or resignation, the City Council shall proceed to elect a successor for the residue of the year; and said officer shall be compensated as the City Council may determine, and he shall be sworn to the faithful execution of his office.

Sect. 3. It shall be the duty of the Superintendent of Burials, by himself or by undertakers duly licensed and appointed by the Mayor and Aldermen, to attend, manage and conduct in a proper manner, all the funerals which shall take place in the City; to keep the walls, fences and gates of the burial grounds in the City in good and proper repair, and to take care that said places of burials be well secured and enclosed at all times; to point out the place, depth and width of every grave to be dug therein; to cause the graves to be dug in exact ranges, parallel with each other; and also to record in a book, to be kept by him for that purpose, the name, age and sex of each person buried, the family and place of residence to which the deceased belonged, the disease of which he or she died, the time of the burial, the number and position of the grave, and of the range or tomb where buried or deposited.

Sect. 4. The Mayor and Aldermen shall, annually, appoint a sufficient number of funeral undertakers, whose duty it shall be to attend and manage funerals, when so required, under the direction of the Superintendent of Burials; and all persons not licensed as undertakers, are hereby forbidden and prohibited to undertake the management of any funeral.

Sect. 5. No person shall bury or inter, or cause to be buried or interred in this City, any dead body, and no person shall remove or cause to be removed out of the City, the body of a

deceased person for interment, without having first obtained a license so to do, from the Superintendent of burials; and it is hereby made the duty of said Superintendent to grant the same, unless some good cause should appear for refusal.

Sect. 6. No person shall bury or inter, or cause to be buried or interred, any dead body at any other time of day than between sunrising and sunsetting, except when otherwise ordered by the Superintendent of Burials; and no grave shall be re-opened for the burial therein, or disinterment therefrom, of any dead body, without license having been first obtained therefor, from the Superintendent of Burials. And in all cases of interments or burials, the top of any coffin, in any grave, shall not be less than four feet from the surface of the ground.

Sect. 7. The Old Burial Ground, so called, and the Catholic Burial Ground, on Bunker Hill, shall be so far closed as that no new tombs be built, nor old tombs be opened, nor new graves be dug therein, without the consent of the Superintendent of Burials first obtained. And no old graves shall be re-opened for the interment of the dead, except in cases of family graves, containing less than three adults or four infants, and never, in these cases, without the permission of the Superintendent of Burials first obtained. And it is hereby made the duty of said Superintendent to grant such permission on satisfactory evidence that the grave contains less than the number aforesaid, and that the deceased was a member of the family owning the grave, but not otherwise; and old graves may be opened for disinterment of dead bodies, with license first obtained therefor, from the Superintendent aforesaid.

Sect. 8. The following fee shall be collected and paid for services in the execution of this ordinance:—To the City, for every body brought into the City from other parts, and buried, except residents of the City, one dollar, together with fifty cents per mile one way for any distance that a hearse may be sent out of the City, which, with the fees for graves and tombs, are to be collected from the families of the persons interred. To the undertakers for digging a grave eight feet deep, and covering the

same, two dollars and fifty cents; for digging a grave six feet and six inches deep, one dollar and fifty cents; for digging a grave five feet deep, one dollar and twenty-five cents; for opening and closing a tomb, seventy-five cents; for attendance and service if required at the house of the person deceased, one dollar; for attending with the hearse at the funeral, conveying, burying, or entombing the corpse, two dollars and fifty cents; for the burial of children under ten years of age, digging a grave five feet deep, one dollar; and in all cases, when a corpse shall be carried into a church for a funeral service, the undertaker may make an additional charge of one dollar.

When the ground shall be frozen, the charge for digging graves may be augmented, at the discretion of the Mayor and Aldermen. And it shall be the duty of the several undertakers to pay over, monthly, to the Superintendent, the fees received by them on account of the City, provided for and established in this section; and it shall be the duty of the Superintendent to pay over to the City Treasurer as often at least as once in three months, all moneys which he shall receive, belonging to the City.

SECT. 9. The Superintendent shall receive such compensation for his services as the City Council shall determine.

SECT. 10. Whenever any person shall decease within the limits of the City, it shall be the duty of the nearest relative, or of the person in whose house the death may have occurred, or any other person who may have first become informed of the event, to cause the same to be made known to an undertaker as soon as practicable.

SECT. 11. No person shall remove any dead body or the remains of any such body from any grave or tomb in the City; nor disturb, break up, or remove any dead body in any grave or tomb without the license of the Superintendent of Burials.

SECT. 12. The Mayor and Aldermen are authorized to make and adopt any regulations in relation to the interment of the dead, which they may deem expedient, provided that the same be not inconsistent with any of the provisions of this Ordinance.

SECT. 13. Any person who shall offend against any of the provisions of this Ordinance, shall be liable to a fine of not less than one dollar, nor more than twenty dollars.

No. 13.

AN ORDINANCE RELATING TO THE POLICE DEPARTMENT.

SECT. 1. The Mayor and Aldermen shall appoint annually, in the month of March, a City Marshal, and three or more Constables, and such Policemen and Officers as they may deem necessary, who shall hold their several offices for the term of one year, unless removed as hereinafter provided.

SECT. 2. The City Marshal shall be the head of the Police Department. He shall devote his whole time to the municipal affairs of the City, to preserve the peace, order, cleanliness and health of the City, and to this end, he shall execute and enforce the laws of the Commonwealth, the special laws and ordinances of the City, the orders of the City Council, the orders of the Mayor and Aldermen, and the orders of the Mayor. He shall take notice of all nuisances, impediments and obstructions in the streets, and shall remove the same, or take all proper measures in relation thereto, according to law, under the direction of the Mayor and Aldermen.

SECT. 3. The City Marshal, before entering upon the duties of his office, shall first be sworn to the faithful and impartial discharge of said duties, and shall also, before entering upon his said duties, give to the Treasurer of the City of Charlestown a bond in the sum of five hundred dollars, with sufficient sureties, (approved by the Mayor and Aldermen,) for the faithful performance of the duties of his office.

SECT. 4. It shall be the duty of the City Marshal, as often as once a week, to pass through all the different parts and principal streets of the City, to observe nuisances, obstructions and impediments therein, and to prevent the commission of offences. He shall report the doings of the Police once a week, or oftener,

to the Mayor, and also all violations of duty on the part of any Constable, Policeman or other officer. He shall receive all complaints of the citizens against any breach of the laws, and he shall institute all prosecutions against offenders of the laws and City Ordinances, and shall attend regularly and punctually on all trials of offenders prosecuted in behalf of the City, in any Court whatever; and he shall not disclose the name of any person, who shall give information to him, relating to the commission of any offence, when so desired by such person. He shall attend daily at some stated hour, in his office which is now or may be established by the City, and which shall be kept open at all suitable times.

SECT. 5. The City Marshal shall keep full and complete records of the business of his department, which shall at all times be open to the inspection of the Mayor, and any of the Aldermen.

SECT. 6. The City Marshal may upon any violation of duty suspend any Policeman, and shall thereupon forthwith report such violation to the Mayor and Aldermen, and until the same shall have been acted upon by the Mayor and Aldermen, such Policeman shall not perform any duties pertaining to his office.

SECT. 7. Every Policeman and member of the department, during his time of service shall devote his whole attention to the municipal affairs of the City, the preservation of order and the maintainance of the peace. He shall enforce the laws of the Commonwealth, the special laws and ordinances of the City, and discharge such other duties, as he may be required to perform, and he shall daily report to the City Marshal all offences and violations of said laws and ordinances, which shall come to his knowledge, and he shall report to the City Marshal forthwith any neglect or violation of duty by any member of the department.

SECT. 8. The Mayor and Aldermen may at any time by vote, remove from office the City Marshal, any Constable, Policeman or other member of the department; and thereupon appoint a successor, and in all cases may fill any vacancy, whether occasioned by death, removal or resignation.

SECT. 9. Any Constable or Police Officer of the City may use the cells of the watch house, for the confinment and safe keeping of persons arrested and awaiting trial before any Justice or Court. This Ordinance shall not be so construed as to prevent any Constable or Police Officer, from instituting prosecution against such persons as may have been arrested by him, for a breach of the laws of the Commonwealth.

SECT. 10. The City Marshal shall, when authorized by the Mayor and Aldermen, employ one or more Deputies, who shall be approved by the Mayor and Aldermen, and who shall, in like manner, take the oath of office. He or they shall assist the City Marshal in the execution of his office, and in his absence shall officiate in his stead. The City Marshal shall be responsible for the acts of his Deputies.

SECT. 11. The Officers named in this Ordinance, other than the City Marshal, shall receive such compensation as shall be determined by the Board of Mayor and Aldermen.

No. 14.

AN ORDINANCE CONCERNING REMOVALS FROM OFFICE.

SECT. 1. The method of procedure in the removal of Officers removable by the City Council shall be as follows: The petition, order, or other paper asking for such removal, or containing charges or inquiries against any Officer, shall be referred to a joint special Committee, consisting of two Aldermen and five members of the Common Council. The Committee shall give a hearing forthwith to all parties interested. They shall report to the branch of the government in which the proceedings originated.

SECT. 2. A Convention shall be held within one month after the receipt of such report, for its consideration and determination. No testimony shall be heard in Convention.

SECT. 3. If the Committee report in favor of the Officer, and against his removal, it shall be competent to amend the report, by an order for the removal of the Officer, and for a new election.

No. 15.

AN ORDINANCE ESTABLISHING A FIRE DEPARTMENT IN THE CITY OF CHARLESTOWN.

SECT. 1. A Fire Department is hereby established, which shall consist of a Chief Engineer, four Assistant Engineers, and of as many Engine, Hose, Hook and Ladder Companies as the City Council shall, from time to time, deem expedient. Each of said Companies shall consist of as many men as shall be appointed by the Mayor and Aldermen, upon the recommendation of the Board of Engineers, provided that the number of men appointed shall not exceed to each Suction Engine, fifty; to each common Engine, thirty-five; to each Hose Carriage, run with an Engine, five; to each Hook and Ladder and Sail Carriage, thirty; to each Hose Company, twenty; and to each Fire Company, twenty-five.

SECT. 2. There shall be chosen by the City Council, by joint ballot in convention, in the month of February, annually, a Chief Engineer, and four Assistant Engineers, who shall hold their offices for one year from the first Monday of March in each year, and until others are chosen in their places, unless sooner removed by a two-thirds vote of the City Council in concurrence. And whenever a vacancy shall occur by removal, death, or resignation, the same shall thereupon be filled by a new election in the manner prescribed in this section. Said Engineers shall be the Firewards in and for the City.

SECT. 3. The Engineers so chosen shall meet and organize themselves into a Board of Engineers, a majority of whom shall form a quorum, and of which, in the absence of the Chief Engineer, the senior Engineer present shall be the presiding officer; they may appoint a Secretary and other officers, and such Secretary shall receive for his services the sum of seventy-five dollars a year. The Board of Engineers shall be responsible for the discipline, good order, and proper conduct of the whole Department, both officers and men, and for the good condition of all houses, reservoirs, hydrants, wells, engines, hose carriages, hook

and ladder trucks, and other apparatus and furniture thereto belonging. They shall have the superintendence and control of all the engine and other houses used for the purposes of the Department, of the furniture and apparatus thereto belonging, of the engines and all other fire apparatus belonging to the City, and over the officers and members of the Department. They may make such rules and regulations for the better government, discipline and good order of the Department, and for the extinguishment of fires, as they may, from time to time, deem expedient, the same being subject to the approval of the City Council.

Sect. 4. The Chief Engineer shall have the sole and absolute control and command over all the other Engineers, all members of the Department, and over all other persons present at fires. It shall be the duty of the Chief Engineer to direct the other Engineers, to take proper measures to arrange the several engines and other apparatus in the most advantageous manner, and cause them to be duly worked for the effectual extinguishment of fires.

Sect. 5. In case of the absence of the Chief Engineer, the Engineer next in rank, who may be present, shall, during such absence, have and exercise all the power and authority of the Chief Engineer, and shall perform the duties of his office. The officer in command of the company which first arrives at a fire, shall be the officer in command until an Engineer is present.

Sect. 6. It shall be the duty of the Chief Engineer to keep or cause to be kept, fair and exact rolls of the respective companies, and of every member of the Department, specifying the time of admission and discharge, the name, age, occupation, and residence of each member, and an accurate account of all moneys that may be received or expended for said Department. He shall, annually, in the month of March, make to the City Council, a detailed report of the condition of the Department, and the cost of maintaining the same; also, all losses and accidents by fire, that may happen within the City, with the causes thereof, as well as they may be ascertained; also, the number and description of the buildings and other property destroyed or injured, the amount of insurance thereon, and the names of the owners; the report to be

published in such manner as the City Council may direct.

SECT. 7. It shall be the duty of the Board of Engineers to examine into the condition of the engines and all other fire apparatus, and of the engine and other houses and property belonging to the City, and used for the purposes of the Fire Department, as often as circumstances may render it expedient; and they shall cause the same to be kept in repair, and when worn out to be replaced, and from time to time shall make such alterations therein, and additions thereto, as they shall deem necessary, provided that such repairs, alterations, or additions shall not at any one time exceed the sum of one hundred dollars, unless the Joint Committee on Fire Department shall authorize a larger expenditure. The Board of Engineers shall cause the reservoirs to be kept filled with water, and they shall give immediate notice to the Superintendent of Drains of any defect or want of repair therein.

SECT. 8. Each of the Companies composing the Fire Department respectively may adopt such Constitution, By-Laws, and Regulations for their government, subordinate to the Ordinances and Orders of the City Council, and the Orders of the Mayor and Aldermen, as may be approved by the Board of Engineers. Each of said Companies shall, in the month of March, in each year, choose a Foreman, a First Assistant Foreman, a Second Assistant Foreman, a Treasurer, a Clerk, and such other Officers as they may require, in accordance with their respective Constitutions, and in the manner therein provided.

SECT. 9. It shall be the duty of the Foreman to see that the several engines and apparatus committed to their care, and the several buildings in which the same are deposited, and all things in or belonging to the same, are kept clean and in order for immediate use. And they shall cause the snow to be cleared from the sidewalk connected with their houses. It shall also be their duty to preserve order and discipline at all times in their respective Companies, and require and enforce a strict compliance with the Ordinances and Orders, the Rules and Regulations of the Department, and the orders of the Chief and Assistant En-

gineers; and they shall forthwith report to the Board of Engineers the name of every member who shall be guilty of a neglect of duty, or of a disobedience of orders. They shall keep, or cause to be kept by the Clerk of their respective Companies, fair and exact rolls of the several members, specifying the time of admission, discharge, age, occupation, and residence of each member, and a record of all the City's property entrusted to their care, in a book or books provided for that purpose at the expense of the City, which rolls and record books shall, at all times, be subject to the inspection of the Board of Engineers. They shall also make, or cause to be made to the Chief Engineer, true and accurate returns of all the members, with their ages and residences, and the condition of the engines and apparatus entrusted to their care, whenever called upon so to do.

Sect. 10. It shall be the duty of the officers and members of the several Companies, whenever a fire shall break out in the City, to repair forthwith to their respective engines and apparatus, and convey the same in a speedy and orderly manner to or near the place where the fire may be, and in conformity to the directions of the Chief or Assistant Engineers, to exert themselves in the most orderly manner possible, in working and managing their engine and other apparatus, and in performing every duty required of them by the Chief or Assistant Engineers; and upon permission of the Chief, or other Engineer, shall, in an orderly and quiet manner, without any outcries, return said engines and apparatus to their respective places of deposit. *Provided*, that in the absence of all the Engineers, such direction and permission may be given by their respective Foremen.

Sect. 11. Any officer or member, who shall neglect or refuse to perform his duty, or shall be guilty of any disorderly conduct, or disobedience to any Officer or Engineer, may be suspended or expelled from the Department by the Board of Engineers; and such action shall be final, unless the same shall be reversed by the City Council within thirty days thereafter.

Sect. 12. In all cases of removal from office, or from the Department, by the Engineers, the name of the person removed,

with a statement of the reasons therefor, shall be entered on their records, and a copy of the same shall be transmitted to the City Council before their next regular meeting.

SECT. 13. No officer, or member, who may have been dismissed, or removed from the Department, shall be re-instated therein, except by vote of the Board of Engineers.

SECT. 14. Immediately on the alarm of fire, during the night, it shall be the duty of watchmen to give notice thereof, by crying "FIRE," or ringing a bell, and mentioning the street, or direction where it may be; and if any watchman shall neglect so to do, he shall be liable to a penalty of three dollars for such neglect.

SECT. 15. No bell shall be rung in the City to give an alarm for a fire out of the City, except by the order, in every instance, of an Engineer.

SECT. 16. Whenever it shall be determined at any fire, by any three or more of the Engineers, of whom the Chief Engineer shall be one, or in his absence, the senior Engineer present, to be necessary to pull down or demolish any house or building, in order to prevent the spreading of the fire, the same may be done by their joint order. And they shall have and exercise all the power and authority which Firewards now or may have by law.

SECT. 17. All persons, not members of the Department, are hereby enjoined and required to obey the orders and directions of any Engineer given at any fire, and to render their services if required by an Engineer. Any person who shall violate any provision of this section, shall be liable to a fine not exceeding twenty dollars.

SECT. 18. There shall be appropriated to the officers and members of the Fire Department, respectively, in the manner hereinafter provided, the following sums in each year, viz: — To the Chief Engineer, two hundred dollars; to each Assistant Engineer, fifty dollars; to each Engine Company, five hundred dollars; to each Hose Company, two hundred and fifty dollars; and to each Hook and Ladder Company, three hundred and seventy-five dollars; *provided*, that in case any Engine Company

shall consist at any time, of less than forty members, any Hook and Ladder Company of less than thirty members, any Hose Company of less than twenty, who shall do all the duty required by the Regulations and Ordinances, then a sum bearing the same proportion to the number of which such Company consists as forty, thirty, and twenty, respectively bear to the respective sums above mentioned, shall be appropriated instead of the sums first herein named. In addition to the above sums, there shall be allowed to each Company, in each year, the sum of twenty dollars for defraying the expenses of fuel and lights. The sums allowed to the several Companies shall be paid in equal quarter-yearly payments.

Sect. 19. Once in three months, viz: — On the last Monday of February, May, August, and November, respectively, the Clerk of each Company shall make a Roll, the blank of which shall be furnished by the Board of Engineers, bearing the full name, age, occupation, and residence of every member of said Company; specifying also, the number of times the Company has been called out, and the attendance of the members respectively; to which Roll shall be appended the following certificate, viz: —

We, the undersigned, do hereby certify, That, according to the best of our knowledge and belief, the foregoing persons are members of [here state the Company,] and that said Company has consisted of members, during the last three months; that during that time they have resided in Charlestown; have performed all the duty incumbent upon them as Firemen; have been present at every turn out of the Company, or duly excused for non-attendance, and are entitled to all the privileges and pay of Firemen:

Which certificate shall be signed by the Foreman and Clerk respectively, and immediately delivered to the Chief Engineer. And if the Foreman and Clerk, or either of them shall make, or cause to be made, a fraudulent return, he or they may be suspended or expelled from the Department, as the Board of Engineers may determine.

SECT. 20. Within ten days after the receipt of these Rolls by the Chief Engineer, the Board of Engineers shall meet and examine the same; and if found to be correct, and they are approved by a majority of the Board, they shall be so certified, together with the amount due to each Company, by the Chief Engineer, and immediately transferred to the Mayor and Aldermen, who, within twenty days thereafter, shall also examine the same, and draw orders for the quarterly payments upon the City Treasurer: *Provided*, however, if, upon examination of the Rolls by the Mayor and Aldermen, it shall appear to them that the same are erroneous, they shall have authority to withhold the sum certified, or any part thereof, as shall to them appear just and reasonable, under this Ordinance, and to the Rules and Regulations of the Department.

SECT. 21. The moneys allowed to each Company shall be paid to the Treasurer of the Company, or his order, for the use and benefit of such Company.

SECT. 22. The Board of Engineers, with the consent of the Mayor and Aldermen, may grant permission to any Company to take their apparatus on an excursion beyond the limits of the City, to be absent for such length of time as they may direct.

SECT. 23. No Company shall leave the City in case of fire in the neighboring towns or cities, except by the order of one of the Engineers.

SECT. 24. No person shall be deemed to be a member of the Department until he shall have been approved or appointed by the Board of Engineers, and his admission shall date from the time of his admission to the Company.

SECT. 25. No person shall be admitted a member of the Department who is under the age of twenty-one years, and who is not at the time, a resident in the City, and a citizen of the United States. Any officer or member who shall remove from the City, shall thereupon be discharged from the Department by the Board of Engineers.

SECT. 26. Every person admitted into the Department shall be, and remain a member of the Company named in his applica-

tion, until he shall be transferred or discharged. And no member shall be transferred from one Company to another, except by order of the Board of Engineers.

SECT. 27. Every person, on being appointed a member of the Department, shall be held to perform all the duties required of him by law, the Ordinances of the City, and the Rules and Regulations of the Engineers, as such member, until discharged therefrom.

SECT. 28. Persons who are not members of the Department, shall not be allowed to frequent any of the houses or rooms used for the purposes of the Department. The Engineers, and all the officers in the Department, are hereby severally enjoined to enforce the provisions of this section.

SECT. 29. Every member of the Department shall wear, at all fires, such badge as the Engineers shall prescribe, and no person without such badge shall, except by permission of an Engineer, enter within the lines formed at any fire.

SECT. 30. If any officer or member shall, except in case of sickness, be absent from more than one-third of the fires, or alarms of fire, occurring during the quarter, such absences, if more than five in number, shall be considered good cause for his discharge from the Department. And an intentional violation of any of the provisions of this Ordinance, by any officer or member, shall also be a good cause for his discharge.

SECT. 31. The Board of Engineers shall severally examine into all shops and other places where shavings and other combustible materials may be deposited or collected, and at all times be vigilant in the removal of the same, whenever in the opinion of any three of them, the same may be dangerous to the security of the City from fires, and to direct the owner, tenant, or occupant of said shops or other places, to remove the same; and in case of such owner, tenant, or occupant's neglect or refusal so to do, to cause the same to be removed at the expense of such owner, tenant, or occupant, who shall, in addition, be liable to a penalty not exceeding twenty dollars for such neglect or refusal; and any person who shall obstruct the Engineers, or any of them,

in carrying out the provisions of this section, shall be liable to a penalty not exceeding twenty dollars.

SECT. 32. Every person who shall have served, according to law, in the Fire Department, for five successive years, shall be entitled to receive a certificate thereof, signed by the Mayor and Chief Engineer of the Department of the City; and any person who shall receive such certificate, shall be considered an honorary member of the Department, and he shall be entitled to wear a badge, such as may be designated by the Board of Engineers.

SECT. 33. All former By-Laws, Ordinances, and Orders, in relation to the Fire Department, are hereby repealed.

No. 16.

AN ORDINANCE RELATING TO THE ELECTION AND DUTIES OF WATER COMMISSIONERS.

SECT. 1. Three Commissioners shall be chosen by ballot, by the City Council, in joint convention, who shall, during their continuance in office, execute and perform, superintend and direct the execution and performance of all the works, matters and things mentioned in the first and second sections of the Act, entitled, "An Act for supplying the City of Charlestown with Pure Water," approved March 28th, 1861. They shall hold, respectively, their said office, until the election of a Water Board by the City Council, to take charge of the Works named in said Act; but they, or either of them, after having had an opportunity to be heard in his or their defence, may be removed in the manner prescribed by the Ordinance, entitled, "An Ordinance concerning removals from office," and in case of a vacancy in the Board of Commissioners from any cause, it shall be filled by the City Council, as heretofore provided.

SECT. 2. The Commissioners shall be subject to such Ordinances, Rules, and Regulations in the execution of their said trust, as the City Council already have made, or from time to

time shall make, not inconsistent with the laws of the Commonwealth, relating to said Works. A major part of them shall be a quorum for all purposes.

SECT. 3. In all respects not inconsistent herewith, or with the Act aforesaid, the Ordinance relating to the Water Commissioners, passed November fifteenth, in the year eighteen hundred and sixty-one, shall be, and remain in force, so far as the same shall be applicable.

SECT. 4. All the rights, powers, and authority given by said Act, to the City of Charlestown, shall be exercised by said City, through said Commissioners, as Agents therefor, subject to all the duties, liabilities, and restrictions in said Act contained.

SECT. 5. The salary of the Commissioners appointed under this Ordinance, shall be fixed at the rate of fifteen hundred dollars per annum, each.

SECT. 6. This Ordinance shall take effect on and after its passage, and any Ordinance inconsistent herewith, is hereby suspended.

Approved March 7, 1864.

No. 17.

AN ORDINANCE CONCERNING THE CHARLESTOWN WATER WORKS, AND THE USE OF MYSTIC LAKE WATER.

SECT. 1. Whenever the City Council shall determine that the Charlestown Water Works are so far completed as to render unnecessary the continuance of the Board of Water Commissioners, there shall be chosen by the City Council, in convention, and by ballot, a Committee, which shall be denominated the Mystic Water Board, to consist of one member of the Board of Aldermen, one member of the Common Council, and three citizens at large, one of whom shall hold his office for one year, one for two years, and one for three years, and thereafter, in the month of January, annually, there shall be elected, in like manner, one member of the Board of Aldermen, one

member of the Common Council, and one citizen at large, who shall hold his office for three years, as members of the Board, and in case of a vacancy in said Board, from any cause, the City Council shall proceed in like manner, to elect a successor for the residue of the term.

The persons so chosen, shall meet and organize themselves into a Board, by the choice of a President, and also a Clerk, from their number, who shall give suitable bonds for the faithful discharge of his duties; and they may make such rules and regulations for their government, and in relation to all subordinate officers by them appointed, as they may deem expedient, not inconsistent with statute law or the City Ordinances.

The Mystic Water Board shall have and exercise all the powers, vested in the City of Charlestown, by an Act of the Legislature, approved March 28th, 1861, entitled, "An Act to supply the City of Charlestown with Pure Water," and the various Acts in addition thereto, so far as the same can legally be delegated; they shall have power to appoint a Superintendent, and all necessary subordinate officers, agents, and assistants, and to remove the same at pleasure, and may fix their compensation, and of the Clerk before mentioned; *Provided*, that the same shall not exceed in the whole, the sum appropriated therefor by the City Council; but all the powers mentioned in this section shall be subject to any limitations and restrictions contained in the ordinances, regulations, and orders of the City Council. The Superintendent and Clerk shall be residents of Charlestown.

Sect. 2. The Mystic Water Board, on or before the fifteenth day of January, annually, shall present to the City Council a report, containing a statement of the condition of the water works, and of the lands and other property connected therewith, with an account of all receipts and expenditures, together with any information or suggestions which they may deem important, and at the same time transmit to the City Council the report of the Superintendent and Clerk.

Sect. 3. The Water Board, whenever requested by the City Council, shall prepare and send to the City Council a schedule of water rates.

SECT. 4. The Water Board are authorized to sell or lease such of the property connected with the water works as they may deem expedient, subject to the approval of the Mayor; all deeds and leases shall be executed by the Mayor, and countersigned by the President of the Board.

SECT. 5. All bills for expenditures by the Water Board, shall be drawn for by the President, and examined and approved by the Committee on Accounts, before they are paid by the Treasurer.

SECT. 6. The President of the Water Board shall exercise a general supervision over the water works, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence, or inability, his duties may be performed by a President *pro tempore*, to be chosen by the said Board.

SECT. 7. The Superintendent shall take such charge of Mystic Lake, the aqueduct, lands, reservoirs, and other works, and property connected with the water works, as the Water Board may, from time to time, direct; and he shall perform all such service in relation thereto, as may be required of him by said Board, or the City Council.

SECT. 8. The Superintendent, on or before the tenth day of January, annually, shall present to the Water Board a report of the general condition of the water works, with a detailed statement of all expenditures in his department, and such other matters as he or the said Board may deem expedient.

SECT. 9. The Water Board shall determine and assess the water rates, and the Clerk thereof shall, once in each year, personally visit the premises of every person who takes the water; shall make out, distribute, and collect all bills for the same; shall exercise a constant supervision over the use of the water; attend to the enforcement of all regulations relating thereto; and on or before the fifth day of January, annually, shall present to the Board a report containing a statement of the number of water takers; the number of cases where the water has been cut off; the number and amount of abatements; the expenditures in his department; and such other matters as he or the said Board may deem expedient.

SECT. 10. All moneys received on account of the Water Works, shall be paid weekly into the City Treasury, and a receipt taken for the same; and all moneys paid into the City Treasury on account of said Works, shall be placed to the credit of the Water Works, to which use they are exclusively appropriated, and shall not be paid out except as provided in Section 5.

SECT. 11. The annual rent for the use of the water shall be payable in advance, on the first day of January, in each year. All charges for specific supplies, or for fractional parts of the year, shall be payable in advance, and before the water is let on.

SECT. 12. In all cases of non-payment of the water rent for sixty days after the same is due, the Clerk shall cut off the supply; and the water shall not again be let on, either for the present or any subsequent occupant, except upon the payment of the amount due, together with the sum of two dollars; *provided*, that, in cases of specific supplies, or for fractional parts of the year, where the water has been let on, it may be cut off immediately, after notice given at the place that the rent is not paid, and may be let on again upon the condition before mentioned. And the foregoing provisions shall apply, when two or more parties take the water through the same service pipes, although one or more may have paid the proportion due from him or them.

SECT. 13. The Clerk, under the direction of the Water Board, may make abatements in the water rents, in all proper cases.

SECT. 14. The Clerk shall keep suitable books, in which shall be entered the names of all persons who take the water, the kind of building, the name and number of the street, the nature of the use, the number of taps, and the amount charged, which shall be always open to the inspection of the Water Board, and any Committee of the City Council. He shall perform such other services as may be required of him by the City Council, or the Water Board.

SECT. 15. No member of the Water Board, and no person appointed to any office, or employed, by virtue of this ordinance, or of the acts of the Legislature mentioned in the first section, shall be interested, directly or indirectly, in any contract, bargain, sale, or agreement, in relation to the water works, or any matter or thing connected therewith, wherein the city is interested;

and any and all contracts, bargains, sales, or agreements, made in violation of this section, shall be utterly void as to the city.

Sect. 16. Any person who shall injure any public pipe or reservoir connected with the Charlestown Water Works, or who shall break and enter the same, or draw off, or cause to be removed any of the water therefrom, or shall turn on or off the water in any such water pipe or reservoir, or shall make any opening or connection with such pipe or reservoir, or remove the cover of any hydrant, except in case of fire, without the license or permit of the Water Board, or by authority of the Mayor and Aldermen, or Chief Engineer of the Fire Department, shall forfeit and pay for each offence, not less than three, nor more than twenty dollars.

Sect. 17. The sale of water to parties out of the limits of the city, shall not be on more favorable terms than to those within its limits, except by vote of the City Council.

Sect. 18. The following regulations shall be considered a part of the contract with every person who takes the water; and every such person, by taking the water, shall be considered to express his assent to be bound thereby. They shall be printed upon every bill for water rent, and whenever any one of them is violated, the water shall be cut off from the building or place of such violation, although two or more parties may receive the water through the same pipe, and shall not be let on again, except by the order of the Water Board, and on the payment of two dollars; and in case of any such violation, the said Board shall have the right to declare any payment made for the water, by the person committing such violation, to be forfeited, and the same shall thereupon be forfeited.

The said Regulations are as follows:—

First. All persons taking the water shall keep the service pipes within their premises, including any area beneath the sidewalk, in good repair, and protected from frost, at their own expense; and they will be held liable for all damage which may result from their failure to do so.

Second. They shall prevent all unnecessary waste of water and there shall be no concealment of the purposes for which it is used.

Third. No alteration shall be made in any of the pipes or fixtures inserted by the city, except by its agents, who are to be allowed to enter the premises supplied, to examine the apparatus, and to ascertain whether there is any unnecessary waste.

Fourth. No water is allowed to be supplied to parties not entitled to the use of it under the City Ordinances, unless by special permission.

Fifth. The Clerk, or Superintendent, may enter the premises of any water-taker, to examine the quantity used, and the manner of use.

SECT. 19. The owner or occupant of any premises where an unnecessary waste of water occurs, shall be liable to a fine of two dollars, and shall be notified thereof in writing, and if such waste shall not be prevented, and the fine aforesaid paid, within two days from the time when said notice is given, the water shall be cut off from the said premises, and shall not be again let on until the waste be stopped and the fine paid, together with an additional sum of two dollars for cutting off and letting on the water; and in case of a second offence during the same year, a fine of four dollars shall be imposed, and if not paid as before mentioned, the water shall be cut off, and not again let on till the cause of complaint is removed, and the fine paid, together with two dollars for cutting off and letting on the water; and in case of a third or subsequent offence, the water shall be cut off, and shall not again be let on, except by a vote of the Water Board, and the payment of such fine, not exceeding ten dollars, as the said Board may impose.

SECT. 20. The following Rates shall be charged annually for the use of the Water, viz: —

Every dwelling house, occuped by one family, $6.00, and $2.00 each for every additional family; also, $1.00 on every $1000 or fraction of a thousand above $1000 tax valuation; and $5.00 in addition for each water closet or bathing tub used.

Model houses, so called, shall be charged, for each tenement having water fixtures within the same, $3.00 annually; and $3.00 in addition for each water closet or bathing tub used; for each tenement not having water fixtures within the same, but

taking the water from general fixtures used in common with other tenements, $2.00 annually.

Sect. 21. The following rates for the use of the Water in buildings used and occupied for offices, shall be charged, viz: for each office having water fixtures within the same, five dollars annually; and for each office taking the water from fixtures used in common with other offices, two dollars annually. And in addition to these rates, there shall be charged for each pan or self-acting water closet, three dollars, and for each hopper water closet, five dollars annually.

Sect. 22. Hotels, taverns, and boarding houses, (said boarding houses being valued for the assessment of taxes over $8,000.) not including water for baths, or for uses without the house, shall be charged for each bed for boarders and lodgers within the same, three dollars.

Provided, that in no case shall any hotel, tavern, or boarding house, be charged less than if a private dwelling house.

Sect. 23. For each tenement occupied as a store, warehouse, office, shop, or for purposes not included in any other classification, and not requiring more than an ordinary supply of water, $6 to $25.

For each water closet, more than one, supplied for the above, $5 additional.

And for each urinal, wash hand basin or sink, more than one, $2.50 additional.

Sect. 24. Private stables, including water for washing carriages, $6. And for each horse, over two, $2.

Livery stables, including water for washing carriages, for each horse, $2.

Omnibus stables, for each horse, $1.50.

Truckmen's stables, for each horse, $1.25.

Provided, that in no case shall any stable be charged less than $5.

Sect. 25. The right to attach a hose, of not more than five-eighths of an inch orifice, for washing windows, sprinkling streets or gardens, or for use in stables, in addition to the charge

for other uses, not less than $3; and use of the same shall be limited to one hour per day.

SECT. 26. Refectories, confectioneries, eating houses, market and fish stalls, provision shops, refreshment and oyster saloons, according to the quantity of water used, from $8 to $50.

SECT. 27. Public baths, for each tub, $5.

SECT. 28. Every printing office, according to the number of presses used, not including the supplying of a steam engine from $6 to $40.

SECT. 29. Stationary steam engines, working not over ten hours a day, shall be charged by the horse power, as follows: for each horse power up to, and not exceeding ten, the sum of $10; for each, exceeding ten, and not over fifteen, the sum of $8; for each horse power over fifteen, the sum of $6.

SECT. 30. Every railroad corporation, for supply of locomotive engines, according to the quantity used, as ascertained bymetres or otherwise, and also for supply of passenger stations.

SECT. 31. Steamboats shall be charged upon the estimated quantity of water consumed, and at the same rate as charged for manufacturing purposes: *Provided, however*, that no water shall be allowed for washing purposes, except by special permission from the Water Board, under a penalty of ten dollars.

SECT. 32. For building purposes, for each cask of lime or cement, seven cents.

SECT. 33. Fountains are only to be supplied with water at the discretion of the Water Board; and shall be charged upon the estimated quantity used each day, for each one hundred gallons daily consumption, $5.

SECT. 34. Bakeries. For the average daily use of flour, for each barrel, the sum of three dollars per annum; *provided*, that in no case shall any bakery be charged less than six dollars.

SECT. 35. All manufacturing and other business, requiring a large quantity of water, shall be charged therefor, for one hundred gallons, on the average estimated quantity during the year; the year to be estimated three hundred days, as follows:

When the quantity used averages five hundred gallons per day, or less, at the rate of six cents per one hundred gallons.

When the quantity averages from five hundred to one thousand gallons per day, at the rate of five and two-third cents per one hundred gallons.

When the quantity averages from one thousand to two thousand gallons per day, at the rate of five and one-third cents per one hundred gallons.

When the quantity averages from two thousand to three thousand gallons per day, at the rate of five cents per one hundred gallons.

When the quantity averages from three thousand to four thousand gallons per day, at the rate of four and two-third cents per one hundred gallons.

When the quantity averages from four thousand to five thousand gallons per day, at the rate of four and one-third cents per one hundred gallons.

When the quantity averages from five thousand to six thousand gallons per day, at the rate of four cents per one hundred gallons.

When the quantity averages from six thousand to seven thousand gallons per day, at the rate of three and two-thirds cents per one hundred gallons.

When the quantity averages from seven thousand to eight thousand gallons per day, at the rate of three and one-third cents per one hundred gallons.

When the quantity averages from eight thousand to ten thousand gallons per day, at the rate of three cents per one hundred gallons.

When the quantity used exceeds ten thousand gallons per day, the price shall be fixed by the Water Board, but in no case at less than two cents per one hundred gallons.

Sect. 36. When water is required for purposes which are not specified in the foregoing tariff, the rate shall be fixed by the Water Board.

Sect. 37. Whenever two or more dwelling houses, or other estates, are valued together, for the assessment of taxes, it shall be the duty of the Clerk, under the direction of the Water Board,

to make a separate valuation of the same; and whenever a portion only of any estate is justly chargeable for any water rate, it shall be the duty of the Clerk to make a proper valuation of the said portion; and the water rates hereinbefore provided, shall apply to such valuations respectively.

SECT. 38. The Water Board shall have power to ascertain, by metres, the quantity of water used in any case; and the proprietors or persons having charge of the hotels, taverns, and boarding houses, mentioned in the twenty-second section of this Ordinance, shall also have power to place within their premises, at their own expense, a sufficient water metre, to be approved by the Clerk, for the purpose of measuring the quantity of water by them respectively used. And when in any case the quantity used shall be ascertained and measured, in manner before mentioned, the Water Board may establish a water rate therefor, instead of the specific rate hereinbefore established. *Provided, however*, that the said rates shall in no case be less than that hereinbefore directed to be charged to brewers, distillers, and other business requiring a large supply, for uses not specified under specific regulations.

SECT. 39. The Water Board shall have power to establish such regulations as they may deem expedient, for the construction of water closets, hereafter; and the water shall not be supplied to any building, unless the said water closets shall be made conformable to the said regulations.

SECT. 40. No charge shall be made for the right to insert a pipe of not more than one inch in diameter, at the expense of the water taker, and to be used only in case of fire.

SECT. 41. All Ordinances and parts of Ordinances inconsistent with this, are hereby repealed.

Approved May 9th, 1864.

No. 18.

AN ORDINANCE CONCERNING TRUANTS.

SECT. 1. The City avails itself of the provisions of Section fourth of the forty-second Chapter of the General Statutes.

SECT. 2. Any of the persons described in the said fourth Section, upon conviction of any offence or conduct therein described, shall be committed to the Almshouse, for such time, not exceeding two years, as the Court may determine, or punished by fine, not exceeding twenty dollars.

SECT. 3. The Almshouse is assigned, and provided as the suitable situation named in said Chapter, to which the offenders therein named shall be committed. The keeper thereof shall have the care and custody of such persons, and shall employ and instruct them in such occupations and in such manner, under the general direction and supervision of the persons named in the following Section, as will be most effectual for the permanent reformation and welfare of the persons thus committed.

SECT. 4. The Mayor and Aldermen shall annually appoint three persons who, alone, shall be authorized, in case of violation of said fourth Section, and this Ordinance, to make complaints, and carry into execution the judgments thereon.

No. 19.

AN ORDINANCE RELATING TO HORSE RAILROADS

SECT. 1. The following Rules shall be observed by Horse Railroad Corporations, their servants and agents making use of the streets in this City : —

1. No car shall be drawn at a greater rate of speed than seven miles an hour.

2. Cars drawn in the same direction shall be kept at least one hundred feet apart, except at stations, or in case of accident.

3. Cars drawn in different directions shall not be stopped abreast each other, except at stations.

4. No car shall be stopped on a cross-walk, or in front of an intersecting street, except at stations, or to avoid collision, or to prevent injury.

5. When stopped at the intersection of streets, cars shall stand with the rear platform slightly over the farther crossing.

6. The conductors and drivers shall keep a vigilant watch for teams, carriages, and persons, whether on the track or moving in the direction thereof, and on the first appearance of danger, shall stop the car at once and take the best means of avoiding the same.

7. No woman or child shall be allowed to leave a car while it is in motion.

8. Conductors shall announce the names of the squares, and principal streets, as the cars reach them.

9. Repairs upon such portions of the streets as said Corporations are required to keep in repair, shall be made under the direction of the Superintendent of Streets, and to his acceptance.

10. Whenever snow falls of sufficient depth to make sleighing, no snow-plow shall be used on the tracks, nor shall the snow be removed therefrom, without the consent of the Mayor and Aldermen, nor shall such Corporations, their servants, or agents, without such consent, sprinkle salt or any article of a decomposing nature, on their tracks or rails.

11. Whenever the streets wherein the tracks are laid, become, in the judgment of the Mayor and Aldermen, unsafe and inconvenient for travellers, by reason of accumulations of snow and ice between the track and the sidewalk, the Corporation using said track shall remove such snow and ice, when so directed by the Mayor and Aldermen, in writing. And, until the same is so removed, after such notice, the cars shall cease to run over such track.

Sect. 2. Any person or Corporation violating any of the foregoing Rules, shall be punished by a fine of twenty dollars.

No. 20.

AN ORDINANCE CONCERNING JUNK SHOPS AND DEALERS IN SECOND-HAND ARTICLES.

Sect. 1. All Licenses which shall be granted according to law to any persons to be keepers of shops for the purchase, sale, or barter of junk, old metals, or any second-hand articles, and to be dealers therein, shall contain the following conditions and restrictions : —

First. That every person, at the time of receiving said license, shall pay therefor the sum of ten dollars.

Second. That every keeper of such shop shall keep a book, in which shall be written, at the time of every purchase, a description of the article or articles purchased, the name and residence of the person from whom, and the day and hour when, such purchase was made ; and that such book shall, at all times, be open to the inspection of the Mayor and Aldermen, and each of them, and the City Marshal, and of any person by either of them authorized.

Third. That every keeper of such shop shall put, in some suitable place, a sign designating that he is licensed as such, and containing his name.

Fourth. No purchase or sale of any of the articles aforesaid, shall be made by the keepers thereof, or any of them, or by any person for them, or any of them, except during the hours between sunrise and sunset. And that said shops shall, at all times, be open to the inspection of the Mayor and Aldermen, the City Marshal, and of any person by either of them authorized.

Fifth. That no keeper of such shop shall, directly or indirectly, either purchase or receive, any of the articles aforesaid, of any minor or apprentice, knowing, or having reason to believe him to be such. And no articles purchased or received by said keeper shall be sold by him until a period of at least one week from the purchase or receipt by him shall have elapsed.

Sect. 2. Any person or persons having obtained a License under the provisions of this Ordinance, who shall violate any of

the provisions thereof, shall, upon conviction thereof, pay a fine of not less than one dollar, nor more than twenty dollars.

SECT. 3. Any License granted under the provisions of this Ordinance, may be revoked at any time by the Mayor and Aldermen.

SECT. 4. This Ordinance shall take effect, and be in force from and after its passage.

No. 21.

AN ORDINANCE IN RELATION TO POSTING NOTICES.

SECT. 1. No person shall post any written or printed matter, except legal notices, upon any fence, wall, or building of another, without the consent of the owner or occupant thereof, nor upon any property of the City, without the consent of the Mayor.

SECT. 2. Any person offending against the provisions of this Ordinance, shall be punished by a fine not exceeding twenty dollars.

No. 22.

AN ORDINANCE TO REGULATE THE KEEPING OF DOGS WITHIN THE CITY OF CHARLESTOWN.

SECT. 1. On complaint being made to the Mayor, of any dog within this City which shall, by barking, biting, howling, or in any other way or manner, disturb the quiet of any person or persons whomsoever, the Mayor, on such complaint, shall issue notice thereof to the person keeping or permitting such dog to be kept, or to the owner thereof; and in case such person or owner shall, for the space of two days after such notice, neglect

to cause such dog to be removed, and kept beyond the limits of the City, or to be destroyed, he shall forfeit and pay a sum not exceeding ten dollars.

SECT. 2. Whenever in the opinion of the Board of Mayor and Aldermen, the public security shall require it, the Board may pass an order requiring the owners or keepers of all dogs within the limits of the City of Charlestown, to cause a good and secure leather or wire muzzle, made in basket form, to be constantly worn by such dogs, for such term of time as the Board may direct. And any such owners or keepers who shall neglect for the space of twenty-four hours, after notice of such order, to comply with the provisions thereof, shall forfeit and pay a sum not exceeding ten dollars.

No. 23.

AN ORDINANCE CONCERNING THE LEGACY OF THE LATE ARCHIBALD BABCOCK, ESQUIRE.

SECT. 1. That the bequest made to this City of the sum of three thousand dollars in and by his last Will and Testament, by the late Archibald Babcock, Esquire, deceased, be accepted, upon the conditions, and for the purposes expressed by him in his last Will and Testament.

SECT. 2. That the Finance Committee, and their successors, shall be the Trustees to receive, invest, and manage the money thus bequeathed; that the investment thereof shall be according to their discretion; that the income thereof shall be expended in manner following, from year to year, under the direction of said Committee and their successors in office: Musicians shall be procured and paid from said income, to perform in public, at such times and places as said Committee shall direct, subject only to these limitations, namely: That at least one half of such income shall be expended for musicians to play at or near the Com-

mon, at the corner of Main and Cambridge Streets, and near the late residence of said Babcock; and that if musicians of suitable skill and accomplishments, and on proper terms, in the judgment of the Committee, can be found resident in this City, such shall be secured to the exclusion of non-residents.

No. 24.

AN ORDINANCE PROVIDING FOR THE REMOVAL, WHEN NECESSARY, OF OFFICERS APPOINTED BY THE MAYOR.

SECT. 1. Any person, nominated or appointed to office by the Mayor, may be removed by him, whenever, in his opinion, the interests of the City require it. The serving of a notice, signed by the Mayor, upon any such appointee, notifying him that his services, under his appointment, are no longer required, shall terminate his official duties from and after the date of such service; and any vacancy thus created, may thereupon be filled in the manner prescribed for making such an appointment.

No. 25.

AN ORDINANCE TO ESTABLISH A PUBLIC LIBRARY IN THE CITY OF CHARLESTOWN.

SECT. 1. A Public Library is hereby established in the City of Charlestown, under the provisions of the Act of 1851, Chap. 305.

SECT. 2. There shall be chosen during the month of May or June in the current year, and annually in the month of January thereafter, by concurrent vote of the two branches of the City Council, one member of the Board of Aldermen, three members of the Common Council, one from each Ward, and five citizens

at large, to constitute a Board of Trustees for the Public Library, who shall hold their offices until others are chosen in their places, and any vacancy in said Board shall be filled by the City Council as aforesaid. The office of Trustee shall be honorary, and no member of the Board shall receive any compensation for his services.

SECT. 3. The persons so chosen shall meet and organize themselves into a Board, by the choice of one of their number as President, and they may make such rules and regulations for their own government, and in relation to subordinate officers by them appointed, as they may deem expedient.

SECT. 4. The said Trustees shall have the general care and control of the Public Library, and of the expenditure of all moneys appropriated therefor; they may make such rules and regulations in relation to the same, and may appoint a Librarian, and such subordinate officers, as they may consider necessary and expedient, define their duties, and may fix their compensation, provided that the total expenditure for the same, shall not exceed the sum appropriated therefor, by the City Council: but the provisions mentioned in this and the preceding Sections, shall, at all times, be subject to any limitations, or restrictions, by the City Council.

SECT. 5. The said Trustees, on or before the fifteenth day of November, annually, shall present to the City Council, a report containing a statement of the condition of the Library, the number of books that have been added during the past year, with an account of all receipts and expenditures, together with such information or suggestions as they may deem important.

SECT. 6. No payment of money shall be made on account of the Library, except by order of the Board, and in pursuance of a warrant signed by the President.

SECT. 7. A letter of acknowledgment, signed by the President, and countersigned by the Librarian, shall be promptly returned to each person making a donation to the Library.

SECT. 8. In prescribing the regulations relative to the care

and use of the books, it shall be the duty of the Trustees to adopt such measures as shall extend the benefits of the institution as widely as practicable throughout the community.

No. 26.

AN ORDINANCE RELATING TO THE PUBLIC SCHOOLS.

SECT. 1. The School Committee are authorized to elect and contract with all such instructors as they may deem proper for the Public Schools, and to determine the amount of their respective salaries; and generally they shall have all the powers in relation to the care and management of the Public Schools which School Committees are authorized by the laws of the Commonwealth to exercise.

SECT. 2. The School Committee shall present to the Committee on Finance, on or before the twentieth day of January, in each year, an estimate, in writing, of the expenses of the Public Schools for the next financial year, stating the amount required for salaries, for incidental expenses, and for the alteration, repairs, and erection of School Houses.

SECT. 3. Said Committee shall not fix the salaries of the teachers in the Public Schools at such rates that the aggregate amount of all such salaries shall, in any financial year, exceed the sum appropriated by the City Council for that purpose.

SECT. 4. The said Committee shall be the original judges of the expediency and necessity of having additional or improved accommodations for any Public Schools within the limits of the City; and whenever, in their opinion, a School House is required, or material alterations needed, they shall send a communication to the City Council, stating the locality and the nature of the further provisions for Schools which are wanted; and no School Houses shall be located, erected, or altered, until the School Committee shall have been consulted on the proposed

locality and plans, unless by order of the City Council. And no alteration or erection shall be made except by the order of the City Council.

Sect. 5. The Committee on Public Property shall make all the repairs or alterations necessary or proper thereon, and charge the expense thereof to the appropriation for support of Schools.

Sect. 6. The Joint Standing Committee on Fuel and Lighting the Streets, shall, annually, purchase the Fuel for the Public Schools, and charge the expense thereof to the appropriation for support of Schools.

No. 27.

AN ORDINANCE TO REGULATE THE PROCEEDINGS OF THE COMMISSIONERS FOR SUPPLYING THE CITY OF CHARLESTOWN WITH PURE WATER.

Sect. 1. The Commissioners who may be appointed by virtue of the third section of the Statute passed on the twenty-eighth day of March last, entitled, "An Act for supplying the City of Charlestown with Pure Water," shall be called, and known by the name of "The Charlestown Water Commissioners," and the salary of each Water Commissioner shall be fifteen hundred dollars per annum, payable quarterly.

Sect. 2. The Charlestown Water Commissioners aforesaid, shall have full power and authority during their continuance in office, to take by purchase or otherwise, all such lands, waters and water rights; to make, in behalf of the City, all such contracts and agreements, to appoint and employ all such engineers, clerks, agents, and laborers, and to procure and purchase all such implements and materials as may be suitable and proper for facilitating, expediting, and finishing the works, and for fully accomplishing the objects and purposes of the said Statute in the most speedy, economical, advantageous, permanent, and effectual manner.

SECT. 3. It shall be the duty of the Charlestown Water Commissioners aforesaid, to exercise all reasonable vigilance and care, by personal inspection, examination, and supervision from day to day, or from time to time, as circumstances may require; to see that all the works, matters and things to be done, executed and performed by and through their agency, and under their superintendence, by virtue of the Statute aforesaid shall be done, executed and performed in a substantial, economical and effectual manner; that all the officers, agents, and other persons who may be employed by them, in the works aforesaid, execute and discharge the duties and labors assigned to them respectively, in a diligent and faithful manner; and that the contracts and agreements, made and concluded by them in the execution of the duties of their office, are faithfully and properly executed and performed.

SECT. 4. In order to enable the City Council seasonably to raise and provide the funds necessary for defraying the costs and expenses which may, from time to time be incurred in the prosecution of the work, and for carrying into full effect the purposes and objects of the Statute aforesaid, the Charlestown Water Commissioners aforesaid shall, from time to time, seasonably make and prepare, with as much particularity as may be useful and practicable, estimates for the use of the City Council of such sums of money, as, in their judgment may be required, and statements of the purposes for which said sums respectively are to be appropriated and applied.

SECT. 5. Whenever the Commissioners aforesaid, shall take any lands, ponds, or streams of water, for the purposes mentioned in the Statute aforesaid, they shall, without unnecessary delay, make, and deliver to the Mayor of the City of Charlestown, a certificate signed by them, containing a statement of the fact of such taking, and a description of the lands, ponds, or streams so taken, as certain as is required in a common conveyance of lands, and a statement of the purposes for which they are so taken, to the end that the Mayor aforesaid may cause such de-

scription and statement signed by him, to be filed in the office of the Registry of Deeds of the County where the lands, &c., lie.

Sect. 6. In all suits, processes, and questions in law or equity, which may be commenced, prosecuted, or pending by or against the City of Charlestown in any court, or before any other tribunal, for or by reason of any act, proceeding, or contract of the Charlestown Water Commissioners aforesaid, or of the City of Charlestown, or for any other cause, arising from the execution of the powers and authority given by the provisions of the Statute aforesaid, the said Commissioners shall aid and assist the Counsel employed in behalf of the City, by giving information of all facts within their knowledge, and furnishing any documents, testimony, and evidence in their possession, or control, which may be material, important, or useful in establishing the rights, and protecting the interests of the said City.

Sect. 7. The Charlestown Water Commissioners aforesaid, shall enter, or cause to be entered, in a book to be kept for that purpose, and which shall be subject to the inspection and examination of the Standing Committee of the City Council on Water, or of any other Committee appointed by the City Council for that purpose, a journal account or record of all rules, orders, votes, appointments, resolutions, and other official acts, which may, from time to time, be adopted by them; and the said Commissioners shall, at the beginning of each month, during their continuance in office, make a report in writing to the said Standing Committee, of their proceedings during the month next preceding each report. And the said Standing Committee shall, at the expiration of each period of three months, make a written report to the City Council, upon the matters committed to them.

Sect. 8. The Charlestown Water Commissioners shall be, and they are hereby authorized to draw bills or orders on the Treasurer of the City, for such sums of money as may, from time to time, be necessary for the payment of the current costs and expenses of performing the work, and executing and accom-

plishing the purposes provided for, in and by the Statute aforesaid, which drafts or bills shall be countersigned by the Mayor before payment thereof, and approved in the usual mode adopted in the financial arrangements of the City.

SECT. 9. This Ordinance, and all its provisions, with the exception of the one relating to the salaries of the Commissioners, which salaries shall not be reduced during their continuance, respectively in said office, shall be subject to revision, alteration, amendment, or repeal, at the discretion of the City Council of the City of Charlestown aforesaid.

Approved November 15, 1861.

No. 28.

AN ORDINANCE FOR THE REGULATION OF CARRIAGES.

SECT. 1. The Mayor and Aldermen may grant licenses, with such conditions as they may see fit to annex thereto, to any person, to place Hackney Carriages kept within the limits of the City, in any public place, and to keep the same there to be employed, and such licenses they may revoke at pleasure.

SECT. 2. No person shall place any Carriage in any public place, to stand there to be employed, except upon the occasion of a funeral, without a license from the Mayor and Aldermen to do so; and all licensed Carriages shall stand in the places named in their respective licenses.

SECT. 3. Each licensed Carriage shall be legibly marked by the owner, in a conspicuous place, with his name and the number of his license.

SECT. 4. One dollar shall be paid for every license, to the City Clerk, who shall pay the same into the City Treasury. The Clerk shall keep a record of all licenses, and of their revocation. Each license shall expire on the first day of July next after its date.

SECT. 5. Any person who shall violate any provision of this Ordinance, shall be punished by a fine of not less than ten dollars, nor more than twenty dollars.

No. 29.

AN ORDINANCE IN RELATION TO THE EXECUTION OF DEEDS, AND OTHER INSTRUMENTS.

SECT. 1. The Mayor of the City is authorized and empowered to affix the common seal of the City unto, and to sign, seal, execute, and deliver, in behalf of the City, all deeds and leases of land sold or leased by the City; and all deeds, agreements, indentures, and assurances, made and entered into by order of the City Council.

SECT. 2. Whenever any person, having lawful authority to redeem any estate mortgaged to the City, shall make application to the Mayor for such purpose, the Mayor shall have power, on the payment of money due on said mortgage made to the Treasurer of the City, to discharge, release, or assign the same, without liability or recourse to the City, the assent of the Board of Aldermen thereto being had and obtained, and to execute, in behalf of the City, any and all legal instruments that may be necessary for this purpose.

No. 30.

AN ORDINANCE IN AMENDMENT OF AN ORDINANCE "ESTABLISHING THE OFFICE, AND PRESCRIBING THE DUTIES OF A CITY SOLICITOR."

SECT. 1. The City Solicitor shall be a resident of the City of Charlestown, or have a place of business in said City.

SECT. 2. So much of the first Section of an Ordinance entitled, "An Ordinance establishing the office, and prescribing the duties of a City Solicitor," passed March 24, 1862, as is inconsistent herewith, is hereby repealed.

No. 31.

AN ORDINANCE IN AMENDMENT OF AN ORDINANCE, "CONCERNING THE CONSTRUCTION OF ORDINANCES."

SECT. 1. The last clause of the second Section of the Ordinance entitled, "An Ordinance concerning the construction of Ordinances," passed September 9th, 1863, is hereby repealed, and the following is substituted therefor:

Such Ordinances and Orders of the City Council as the Mayor shall direct, shall be published in one or more newspapers in the City, according to his directions.

No. 32.

AN ORDINANCE PRESCRIBING THE MODE OF APPOINTING CERTAIN CITY OFFICERS.

The Mayor and Aldermen of said City are hereby authorized to appoint for the current and every succeeding municipal year, the following City Officers, to wit: field drivers, fence viewers, health officers, fish officers, sealers of weights and measures, surveyors of lumber, measurers of wood and bark, hay weighers, sealers of leather, and coal baskets, pound keepers, and such other officers as may be necessary or convenient to the public, unless some other provision for the time being shall be made by the City Council.

No. 33.

AN ORDINANCE DECLARING WHAT ORDINANCES ARE IN FORCE.

SECT. 1. All the Ordinances contained in the Municipal Register, printed by W. &. E. Howe, under an order of the City Council, passed July twenty-seventh, in the year eighteen hundred and sixty-three, shall be deemed, and are hereby declared to be, Ordinances of the City of Charlestown, and shall have the force thereof. All Ordinances and parts of Ordinances, heretofore passed by the City Council, and not contained in the Municipal Register, printed as above, are hereby repealed.

Approved Sept. 5, 1864.

SPECIAL LAWS.

Approved since those ending on page 44 were printed.

No. 20.

AN ACT CONCERNING THE CITY OF CHARLESTOWN.

The action of the City of Charlestown on the twenty-ninth day of June, in the year eighteen hundred and sixty-three, in the laying out and extension of Richmond Street, and the widening of Chapman Street, whereby certain lands of the Commonwealth have been taken for the Streets, aforesaid, is hereby ratified and confirmed, so far as the taking of the lands of the Commonwealth is concerned: *provided*, that the said City shall remove and re-construct the fences to the satisfaction of the Inspectors of the State Prison; and, *provided further*, that the City of Charlestown shall file with the Secretary of the Commonwealth a copy of the record and plan of the said laying out and widening. St. 1864, Ch. 123.

No. 21.

AN ACT CONCERNING THE CONSTRUCTION OF SIDEWALKS IN THE CITY OF CHARLESTOWN.

Sect. 1. Whenever any public Street, or any part of the same, in the City of Charlestown, is paved, or macadamized, or covered with gravel as a substitute therefor, or when such paving or substitute shall have been ordered by the City Council of said City, the owners of abutting lots of land or real estate, upon such street, or part of a street, shall,

within thirty days after notice from the Board of Mayor and Aldermen, so to do, construct at their own expense, and to the acceptance of the Board of Mayor and Aldermen, a sidewalk against their respective estates, with brick or flat stone, supported on the outer edge thereof with hammered edgestone; and if any abuttor shall refuse, or neglect to construct such sidewalks against his lot, for the space of thirty days after a written notice has been served upon him, his tenant, agent, or attorney, by order of said Board of Mayor and Aldermen, said City may construct the same, and the expense thereof shall constitute a lien upon the abutting lot, for one year after such expense was incurred; such expense, with incidental costs and charges may be levied by sale of the whole or any part of such abutting lot, if such expense, costs, and charges be not paid within three months after a written demand for payment of the same, made by the City Treasurer, upon the owner of the lot, his tenant, agent, or attorney; such sale to be conducted in like manner, and upon like notices, as sales of real estate for the non-payment of taxes; and when any estate, or any part of the same is so sold, the owner thereof shall have the same right and the like remedies for redeeming the same, as is provided by law for the redemption of real estate sold for non-payment of taxes; *provided, however*, that when the owner of any abutting lot on any such street shall, in the judgment of the Mayor and Aldermen, be unable to construct such sidewalk, they may cause the same to be constructed at the expense of the City; and *provided, also*, that they may, in their discretion, allow the owners of vacant lots on any such street, to construct their sidewalks with plank and timber, to the acceptance of the Board of Mayor and Aldermen, which shall be removed, and the edgestone, and brick or flat stone sidewalk substituted therefor, when said Board shall so order.

Sect. 2. The first Section of Chapter one hundred and sixty-five of the Acts of the year eighteen hundred and fifty-nine, entitled, "An Act to regulate Sidewalks in the City of Charles-

town," is hereby repealed, but such repeal shall not affect the rights now accrued, or any action now pending.

SECT. 3. This Act shall take effect upon its passage.

ST. 1864, CH. 160.

No. 22.

AN ACT IN ADDITION TO AN ACT FOR SUPPLYING THE CITY OF CHARLESTOWN WITH PURE WATER.

SECT. 1. The City Council of the City of Charlestown, is hereby authorized to issue Water Bonds of the City of Charlestown, to an amount not exceeding two hundred thousand dollars, in addition to the amount now authorized by the eleventh Section of Chapter one hundred and five, of the Acts of the year eighteen hundred and sixty-one. The bonds hereby authorized shall be issued, and the proceeds thereof appropriated, in accordance with, and subject to the provisions and conditions of said eleventh Section.

SECT. 2. This Act shall take effect upon its passage.

ST. 1864, CH. 176.

JOINT RULES AND ORDERS

OF THE

CITY COUNCIL.

Article 1. At the commencement of the Municipal Year, the following Joint Standing Committees shall be appointed by the presiding officer of each branch ; *provided*, that either branch may determine to choose them by ballot, namely : —

1. A Committee on Finance, — to consist of the Mayor, two Aldermen, the President, and four members of the Common Council.

2. A Committee on Accounts, — to consist of two Aldermen, and three members of the Common Council.

3. A Committee on City Property, — to consist of two Aldermen, and three members of the Common Council.

4. A Committee on Water, — to consist of two Aldermen, the President, and two members of the Common Council.

5. A Committee on Public Instruction, — to consist of the Mayor, one Alderman, the President, and two members of the Common Council.

6. A Committee on the Almshouse, — to consist of two Aldermen, and three members of the Common Council.

7. A Committee on Fuel and Lighting the Streets, — to consist of two Aldermen, and three members of the Common Council.

8. A Committee on Fire Department, — to consist of two Aldermen, and three members of the Common Council.

9. A Committee on Repairs of Streets,—to consist of the Mayor, one Alderman, and three members of the Common Council.

10. A Committee on Printing,—to consist of one Alderman, and two members of the Common Council.

11. A Committee on Laying out Streets,—to consist of the Mayor, two Aldermen, and five members of the Common Council.

12. A Committee on Burial Grounds,—to consist of two Aldermen, and three members of the Common Council.

13. A Committee on Ordinances,—to consist of two Aldermen, and three members of the Common Council.

14. A Committee on Claims,—to consist of the Mayor, one Alderman, the President, and two members of the Common Council.

On all Joint Committees, of which it is provided that the Mayor shall be a member, in case of the non-election, decease, inability, or absence of that officer, the Chairman of the Board of Aldermen shall act ex-officio.

The member of the Board of Aldermen first named on every Joint Committee, of which the Mayor is not a member, shall be its Chairman; and in case of his resignation or inability, the other members of the same Board, in the order in which they are named, and after them the member of the Common Council first in order, shall call meetings of the Committee, and act as Chairman; and in case, from any reason, any Joint Committee shall not have been assembled within three weeks from the reference of any matter to said Committee, the member of the Common Council first in order, shall call meetings of the Committee.

Art. 2. In every case of an amendment of an ordinance, or joint order, or joint resolution, agreed to in one Board, and dissented to by the other, a conference may be had at the request of either; and the Committees appointed by the respective Boards, for the purpose, shall meet as soon as convenient, and state to each other the reasons of their respective Boards for and against

the amendment, confer freely thereon, and report to their respective Boards. Committees of Conference shall consist of three members on the part of each branch of the City Council, representing its vote; and their Report, if agreed to by a majority of each Committee, shall be made to the branch asking the conference, and may be either accepted or rejected; but no other action shall be had except through a new Committee of Conference.

ART. 3. When either Board shall non-concur, in any Ordinance sent from the other, notice thereof shall be given by written message.

ART. 4. Either Board may propose to the other for its concurrence, a time to which both Boards shall adjourn.

ART. 5. All By-Laws passed by the City Council, shall be termed "Ordinances," and the enacting style shall be: "Be it ordained by the City Council of the City of Charlestown."

ART. 6. In all votes, when either or both branches of the City Council express any thing by way of command, the form of expression shall be "Ordered;" and when either or both branches express opinions, principles, facts, or purposes, the form shall be "Resolved."

ART. 7. After the annual order of Appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by special transfer from some of the appropriations contained in the annual order, or by expressly creating therefor a City debt; in the latter of which cases, the order shall not be passed unless two-thirds of the whole number of each branch of the City Council shall vote in the affirmative, by vote taken by yea and nay: *provided*, that any unappropriated funds in the City Treasury may be appropriated by a joint order of the City Council, after the annual order of appropriations shall have passed.

ART. 8. Joint Standing Committees shall cause records to be kept of their proceedings, in books provided by the City for that purpose. No Committee shall act by separate consultations, and

no Report shall be received unless the subject thereof shall have been considered in Committee actually assembled.

Art. 9. Ordinary messages between the two Boards may be transmitted by their respective messengers; but all messages, proposing or assenting to a convention of the two branches, shall be borne by some member of the Board, to be designated by the Chair. All messages of the two Boards shall be reduced to writing, by their respective Clerks.

Art. 10. All Reports and other papers submitted to the City Council, shall be written in a fair hand, and no Report or endorsement of any kind shall be made on the reports, memorials, or other papers referred to Committees of either branch, while in their possession. And the Clerks shall make copies of any papers to be reported by Committees, at the request of the respective Chairmen thereof.

Art. 11. No Committee shall enter into any contract with, or purchase, or authorize the purchase of any articles of any of its members.

Art. 12. No Chairman of any Committee shall audit or approve any bill or account against the City, for any supplies or services which shall not have been ordered or authorized by the Committee.

Art. 13. Every Ordinance shall have as many readings in each Board as the rules thereof shall require; after which, the question shall be on passing the same to be enrolled, and when the same shall have passed to be enrolled, it shall be sent to the other Board for concurrence; and after its passage to be enrolled in concurrence, the same shall be enrolled by the Clerk of the Common Council, and examined by a Committee of that Board; and on being found by said Committee to be truly and correctly enrolled, the same shall be reported to the Common Council, when the question shall be on passing the same to be ordained; after its passage to be ordained, it shall be signed by the President, and sent to the other Board, where a like examination shall be made by the Committee on Enrollment of the Board of Mayor

and Aldermen, and the same proceeding thereon shall be had as in the Common Council; and when it shall have passed to be ordained in both branches, it shall be signed by the Mayor.

ART. 14. No enrolled Ordinance shall be amended.

ART. 15. No vote, by which a joint order or resolve or an Ordinance has been passed in its final stage, shall be re-considered in either Board, after the same has been finally acted upon in the other Board, unless a motion for re-consideration be made, or notice thereof be given, at the same meeting at which the vote to be re-considered passed.

ART. 16. None of the foregoing Articles shall be suspended, altered, or repealed, unless by a vote of two-thirds of all the members of each branch.

RULES AND ORDERS

OF THE BOARD OF

MAYOR AND ALDERMEN.

Article 1. The order of business shall be as follows: —

1. The journal of the previous meeting shall be read.

2. Petitions shall next be called for, and shall be disposed of by reference or otherwise; and also new business may be introduced by any member of the Board.

3. Such nominations, appointments, and elections, as may be in order, shall be considered and disposed of.

4. The orders of the day shall be taken up, — meaning by the orders of the day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up from the Common Council.

Art. 2. Every Ordinance shall pass through the following stages before it shall be considered as having received the final action of this Board, viz: — First Reading; Second Reading; Passage to be Enrolled; Passage to be Ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

Art. 3. An Ordinance may be rejected at either stage in its progress, but shall not pass through all its stages in one day.

Art. 4. Standing Committees shall be appointed on the Police of the City, on Licenses, Enrollment, and on Drains and Sewers; each of said Committees to consist of three members.

Art. 5. No member shall be interrupted while speaking, but by a call to order, or for the correction of a mistake; nor shall there be any conversation among the members while a paper is being read, or a question stated from the Chair.

Art. 6. All Committees shall be appointed and announced by the Mayor, unless the Board shall determine otherwise.

Art. 7. The above Rules and Orders of Business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present, for a specific purpose.

RULES AND ORDERS

OF THE

COMMON COUNCIL.

RIGHTS AND DUTIES OF THE PRESIDENT.

ARTICLE 1. The President shall take the Chair at the hour to which the Council shall have adjourned; shall call the members to order; cause the Roll to be called; and, on the appearance of a quorum, shall cause the Minutes of the preceding meeting to be read, and proceed to business. In the absence of the President, any member present may call the Council to order, and preside until a President *pro tempore* shall be chosen by ballot. If, upon a ballot for President *pro tempore*, no member shall receive a majority of the votes, the Council shall proceed to a second ballot, in which a plurality of votes shall prevail.

ART. 2. He shall preserve decorum and order; he may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the Council.

ART. 3. He shall declare all votes; but if any member doubt the vote, the President, without further debate upon the question, shall require the members voting in the affirmative and negative, to rise and stand until they are counted, and he shall declare the result; but no decision shall be declared unless a quorum of the Council shall have voted.

ART. 4. He shall rise to address the Council, or to put a question, but may read sitting.

ART. 5. The President may call any member to the Chair, provided such substitution shall not continue longer than one meeting. When the Council shall determine to go into committee of the whole, the President shall appoint the member who shall take the Chair. The President may express his opinion on any subject under debate; but in such case he shall leave the Chair, and appoint some other member to take it. But the President may state facts, and give his opinion on questions of order, without leaving his place.

ART. 6. On all questions and motions, the President shall take the sense of the Council by yeas and nays, *provided* any two members present shall so require.

ART. 7. In all cases the President may vote.

ART. 8. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and affixing times, the largest sum and longest time shall be put first.

ART. 9. After a motion has been made and stated by the President, it shall be disposed of by vote of the Council, unless the mover withdraw it before a decision or amendment.

ART. 10. When a question is under debate, the President shall receive no motion, but to adjourn—to lay on the table—the previous question—to postpone to a day certain—to commit—to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged, and the first three shall be decided without debate.

ART. 11. The previous question shall be put in this form: "*Shall the main question be now put?*" It shall only be admitted when demanded by a majority of the members present, and it shall put an end to all debate, and shall bring the Council to a direct vote upon amendments reported by a Committee, if any, then upon pending amendments, and then upon the main question.

ART. 12. All incidental questions of order arising after a motion has been made for the previous question, shall be decided

without debate, except an appeal, and on such appeal, no member shall be allowed to speak more than once, without leave of the Council.

ART. 13. When two or more members happen to rise at once, the President shall name the member who is first to speak.

ART. 14. All Committees shall be appointed and announced by the President, except such as the Council may determine to elect by ballot.

RIGHTS AND DUTIES OF MEMBERS.

ART. 15. When any member is about to speak in debate, or deliver any matter to the Council, he shall rise in his place and respectfully address the presiding officer; shall confine himself to the question under debate, and avoid personality. He shall sit down as soon as he has done speaking. No member shall speak out of his place without leave of the President.

ART. 16. No member in debate shall mention another member by his name; but may describe him by the ward he represents, or by such other designation as may be intelligible and respectful.

ART. 17. No member, while speaking, shall be interrupted by another, but by rising to call to order. If any member, in speaking, or otherwise, transgress the rules of the Council, the President shall, or any member may, call to order: in which case the member so called to order shall immediately sit down, unless permitted to explain; and the Council shall, if appealed to, decide on the case, but without debate. If the decision be against the member, he shall not be permitted to proceed without leave of the Council; and if the case require it, he shall be liable to the censure of the Council, or he may be expelled.

ART. 18. No member shall speak more than twice to the same question, without leave of the Council; nor more than once until all other members choosing to speak, shall have spoken.

ART. 19. Every motion shall be reduced to writing, if the President direct, or if any member of the Council request it.

Art. 20. When a vote has passed, it shall be in order for any member of the majority to move for a re-consideration thereof, at the same or succeeding meeting; but if the motion to re-consider be not made till the next meeting, the subject shall not be re-considered unless a majority of the whole Council shall vote therefor. And no more than *one* motion for the re-consideration of any vote shall be permitted.

Art. 21. No member shall be permitted to stand up, to the interruption of another, while any member is speaking, or to pass unnecessarily between the President and the person speaking.

Art. 22. Every member who shall be in the Council when a question is put, shall vote, unless for special reasons he be excused.

Art. 23. The division of a question may be called for, when the sense will admit of it.

Art. 24. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the Council.

Art. 25. No standing rule or order of the Council shall be suspended, unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without one day's notice being given of the motion therefor, nor unless a majority of the whole Council shall concur therein.

Art. 26. Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

Art. 27. No member shall be obliged to be on more than two Committees at the same time, nor to be Chairman of more than one.

COMMUNICATIONS, COMMITTEES, REPORTS, AND RESOLUTIONS.

Art. 28. All memorials and other papers addressed to the Council, shall be presented by the President, or by a member in his place, who shall explain the subject thereof, and they shall lie on the table, to be taken up in the order in which they are presented, unless the Council shall otherwise direct.

Art. 29. Standing Committees of the Council shall be appointed on the following subjects, viz:—On Elections and Returns, and on Enrolled Ordinances and Resolutions, each to consist of three members.

Art. 30. No Committee shall sit, during the sitting of the Council, without special leave.

Art. 31. The rules of proceeding in Council shall be observed in committee of the whole, so far as they may be applicable, excepting the rules limiting the times of speaking; but no member shall speak twice to any question, until every member choosing to speak, shall have spoken.

Art. 32. When Committees of the Council chosen by ballot, or Committees consisting of one or more members from each ward, have been appointed or elected, whether joint or otherwise, the first meeting thereof shall be notified by the Clerk, by direction of the President; and they shall organize by the choice of Chairman, and report to the Council; and when Committees, other than as above specified, are nominated by the President, the person first named shall be Chairman, and in case of the absence of the Chairman, the Committee shall have power to appoint a Chairman, *pro tempore.*

Art. 33. All messages to the Mayor and Aldermen, shall be drawn up by the Clerk, and sent by the Messenger.

Art. 34. All Ordinances, Resolutions and Orders, shall have two several readings before they shall be finally passed by the Council; and all Ordinances, after being so passed, shall be enrolled.

Art. 35. No Ordinance, Order, or Resolution, imposing penalties or authorizing the expenditure of money, shall have more than one reading on the same day.

Art. 36. The seats of the members of the Council shall be numbered and determined by lot; and no member shall change his seat without permission of the President.

Art. 37. All Special Committees, unless otherwise ordered, shall consist of three members—and no report shall be received

from any Committee unless the subject thereof shall have been considered in Committee assembled.

Art. 38. The Clerk shall keep brief minutes of the votes and proceedings of the Council,—entering on the journal all accepted orders and resolutions;—shall notice reports, memorials, and other papers submitted to the Council, only by their titles, or by a brief description of their purport; but all accepted reports from Special Committees of this Board, shall be entered at length, in a separate journal to be kept for that purpose, and provided with an index. He shall also record the names of the members present, at the calling of the roll, together with the whole number of members present at every meeting of the Council.

Art. 39. All salary officers shall be voted for by written ballot.

Art. 40. It shall be the duty of all Standing Committees of the Council, to keep records of all their doings, in books provided for that purpose by the Clerk; and it shall be the duty of the Clerk to attend the meetings of said Committees, and make said records when requested so to do.

Art. 41. No meeting of any Committee shall be called upon less notice than twenty-four hours.

Art. 42. In all elections by ballot on the part of the Council, blank ballots, and all ballots for persons not eligible, shall be reported to the Council, but shall not be counted in making up returns, except in cases where the Council have only a negative upon nominations made by the Mayor and Aldermen.

Art. 43. It shall be the duty of the Committee of the Council to whom any subject may be specially referred, to report thereon within four weeks from the time said subject is referred to them, or to ask for further time.

MODES AND TIMES OF APPOINTMENT

OF THE

VARIOUS CITY OFFICERS.

City Election, Second Monday in December.
City Government Organized First Monday in January.

City Clerk—in convention.
City Treasurer and Collector of Taxes—in convention. Term of office. financial year.
Assessors—in convention.
Superintendent of Streets—in convention, January or February.
Mystic Water Board—in convention, January.
Surveyors of Highways—in convention, January.
City Messenger—by concurrent vote.
Superintendent of Burials—by concurrent vote, March.
City Marshal—by Mayor and Aldermen, March.
City Solicitor—in convention, March.
Engineers of the Fire Department—in convention, February.
Truant Officers—by Mayor and Aldermen.
Liquor Agent—by Mayor and Aldermen, first Monday in May.

The following appointments are made by the Mayor and Aldermen as soon after the organization as may be convenient:—

Measurers of Wood and Bark, Surveyors of Mason Work and Materials, Public Weighers, Weighers of Coal, Weighers of Vessels, Inspectors of Hay, Inspectors of Charcoal Measures, Sealers of Weights and Measures, Fence Viewers, Field Drivers, Pound Keepers, City Crier, Constables, Police Officers, Grain Measurer, Undertakers, Watchmen, Measurers of Marble, Inspector of Milk.

GOVERNMENT

OF THE

CITY OF CHARLESTOWN.

1864.

MAYOR.

PHINEHAS J. STONE, 25 Concord Street.

ALDERMEN.

WARD No. 1.

ANDREW SAWTELL,	29 Washington Street.
FRANCIS THOMPSON,	49 Monument Square.
ANTHONY S. MORSS,	42 Harvard Street.

WARD No. 2.

JAMES F. DWINELL,	33 Mount Vernon Street.
OTIS LITTLE,	60 Elm Street.
MATTHEW H. MERRIAM,	37 Mount Vernon Street.

WARD No. 3.

JOSEPH LOVETT,	8 Quincy Street.
JOSEPH F. BOYD,	16 Wood Street.
OLIVER H. P. SMITH,	577 Main Street.

CITY CLERK.

DANIEL WILLIAMS,	10 Mystic Street.

COMMON COUNCIL.

EUGENE L. NORTON, *President.*

Ward No. 1.

Charles Field,	6 Putnam Street.
William H. Hooton,	23 Harvard Street.
James W. Roberts,	38 Winthrop Street.
Charles F. Harding,	24 Monument Avenue.
Thomas Graham,	15 Bow Street.
William R. Bradford,	3 Cordis Street.

Ward No. 2.

Eugene L. Norton,	15 Mount Vernon Street.
James H. Potts,	169 Chelsea Street.
Ezra Brown,	3 Tremont Street.
Edward A. Costigan,	60 Decatur Street.
James F. Green,	29 Green Street.
Nelson Cutler, Jr.	27 Decatur Street.

Ward No. 3.

Horatio P. Dunnels,	2 Wood Street.
John Gardner,	8 Alford Street.
Jacob W. Roberts,	330 Main Street.
Charles F. Smith,	191 Bunker Hill Street.
John B. Meserve,	27 Austin Street.
Augustus W. Stover,	9 Franklin Street.

CLERK OF COMMON COUNCIL.

Gustavus V. Hall,	57 High Street.

CITY MESSENGER.

Abram Chamberlin,	118 Medford Street.

TREASURER AND COLLECTOR OF TAXES.

Lowell W. Chamberlin,	2 Essex Street.

CITY SOLICITOR.

J. Q. A. Griffin,	25 City Square.

BOARD OF ASSESSORS.

Thomas Greenleaf,	26 Adams Street.
T. S. G. Robinson,	30 Harvard Street.
Enos Merrill,	111 Bartlett Street.

OVERSEERS OF THE POOR.

PHINEHAS J. STONE, *Chairman, ex officio,*

DAVID B. WESTON, *Secretary and Agent.*

Ward No. 1.

Amos Roberts,	Arrow, cor. Bow Street.
Robert Todd,	12 Washington Street.

Ward No. 2.

Abram Chamberlin,	118 Medford Street.
Samuel L. Tuttle,	21 Polk Street.

Ward No. 3.

David B. Weston,	218 Bunker Hill Street.
Earl Wyman,	361 Bunker Hill Street.

SCHOOL COMMITTEE.

JAMES B. MILES, *President.*

Ward No. 1.

James Adams,	34 Washington Street.
Abram E. Cutter,	42 Winthrop Street.
Nathan A. Tufts,	35 Union Street.
Arthur W. Tufts,	53 Washington Street.
William Peirce,	1 Seminary Place.
Augustus H. Heath,	57 Washington Street.

Ward No. 2.

James B. Miles,	1 Adams Street.
Benjamin F. Brown,	7 Wallace Street.
James Lee, Jr.,	5 Monument Square.
George B. Neal,	1 Monument Square.
Andrew J. Locke,	57 Green Street.
George H. Yeaton,	68 Elm Street.

Ward No. 3.

Charles F. Smith,	191 Bunker Hill Street.
William H. Finney,	18 Oak Street.
George H. Marden,	30 Pearl Street.
William B. Long,	280 Main Street.
William Fosdick,	363 Main Street.
Edwin B. Haskell,	391 Bunker Hill Street.

George B. Neal, *Treasurer.*
George H. Rugg, *Secretary.*

COMMITTEES, 1864.

JOINT STANDING COMMITTEES.

FINANCE — The Mayor and Aldermen Thompson and Merriam; the President and Messrs. Roberts, (of Ward 1,) Dunnels, Gardner and Potts.

ACCOUNTS — Aldermen Sawtell and Dwinell; and Messrs. Roberts, (of Ward 3,) Smith and Costigan.

CITY PROPERTY — Aldermen Merriam and Smith; and Messrs. Field, Gardner and Green.

WATER — Aldermen Thompson and Lovett; the President, and Messrs. Field and Brown.

ALMSHOUSE — Aldermen Little and Boyd; and Messrs. Roberts, (of Ward 1,) Meserve and Cutler.

PUBLIC INSTITUTIONS — The Mayor and Alderman Morss; the President, and Messrs. Stover and Graham.

FUEL AND LIGHTING STREETS — Aldermen Dwinell and Lovett; and Messrs. Brown, Dunnells and Harding.

FIRE DEPARTMENT — Aldermen Lovett and Dwinell; and Messrs. Costigan, Harding and Smith.

REPAIRS OF STREETS — The Mayor, and Alderman Morss; and Messrs. Brown, Hooton and Robers, (of Ward 3.)

BURIAL GROUNDS — Aldermen Boyd and Sawtell; and Messrs. Harding, Potts and Stover.

LAYING OUT STREETS — The Mayor, and Aldermen Little and Boyd; and Messrs. Roberts, (of Ward 1,) Meserve, Hooton, Dunnels and Cutler.

CLAIMS — The Mayor, and Alderman Sawtell; the President, and Messrs. Green and Bradford.

ORDINANCES — Aldermen Morss and Thompson; and Messrs. Smith, Costigan and Bradford.

PRINTING — Alderman Smith; and Messrs. Field and Potts.

COMMITTEES OF THE MAYOR AND ALDERMEN.

POLICE — The Mayor, and Aldermen Dwinell and Smith.

LICENSES — Aldermen Boyd, Morss and Merriam.

ENROLLMENT — Aldermen Thompson, Little and Merriam.

NOTICES TO BUILD — The Mayor, and Alderman Boyd.

BOARD OF HEALTH — Aldermen Smith, Sawtell and Dwinell.

LAYING GAS PIPES — Aldermen Lovett, Little and Thompson.

DRAINS AND SEWERS — Aldermen Little, Merriam and Lovett.

COMMITTEES OF THE COMMON COUNCIL.

ELECTIONS AND RETURNS — Messrs. Hooton, Potts and Roberts, (of Ward 3.)

ENROLLED ORDINANCES AND RESOLUTIONS — Messrs. Costigan, Graham and Stover.

PAST CITY GOVERNMENTS.

1847.

MAYOR.

G. WASHINGTON WARREN.

ALDERMEN.

Ward No. 1.

DEXTER BOWMAN, EBENEZER BARKER.

Ward No. 2.

PAUL WILLARD, PHINEHAS J. STONE.

Ward No. 3.

THOMAS HOOPER, JOHN CHEEVER.

COMMON COUNCIL.

CHARLES W. MOORE, *President.*

Ward No. 1.

Melvin Simmons, Henry A. Pierce,
Kendall Bailey, Jacob Caswell,
Thomas Sumner,* Edward Riddle.
Moses G. Cobb,†

Ward No. 2.

P. S. Briggs, Ichabod Lindsey,
P. B. Holmes, Marshall Blanchard,
John Sanborn, Jesse Mann.

Ward No. 3.

Joseph Young, James Damon,
David C. Willis, William S. Fretch,
Charles W. Moore, Seth W. Lewis.

PAUL WILLARD, Jr., *Clerk.*

*Resigned May 3. †Elected to vacancy.

1848.

MAYOR.

G. WASHINGTON WARREN.

ALDERMEN.

Ward No. 1.

JOHN L. TAGGARD,
ADDISON GAGE,*
JAMES ADAMS.†

Ward No. 2.

THOMAS M. CUTTER,
PHILIP B. HOLMES.

Ward No. 3.

THOMAS HOOPER,
TIMOTHY FLETCHER.

COMMON COUNCIL.

SETH J. THOMAS, *President.*

Ward No. 1.

Henry P. Fairbanks,
Kendall Bailey,
Henry Forster,
Seth J. Thomas,
John Wesson,
Edward Riddle,*
George S. Adams.†

Ward No. 2.

Moses G. Cobb,
Isaac Cook,
Daniel Johnson,
Timothy T. Sawyer,
Erdix T. Swift,
Edward Thorndike.

Ward No. 3.

Godfrey B. Albee,
Solomon G. Phipps,
Charles Poole,
Samuel S. Reynolds,
Joseph Young,
James A. D. Worcester.

GUSTAVUS V. HALL, *Clerk.*

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*Resigned May 22. †Elected to vacancy.

1849.

MAYOR.

G. WASHINGTON WARREN.

ALDERMEN.

Ward No. 1.

JAMES ADAMS, JOHN L. TAGGARD.

Ward No. 2.

THOMAS M. CUTTER, PHILIP B. HOLMES.

Ward No. 3.

TIMOTHY FLETCHER, JAMES K. FROTHINGHAM.

COMMON COUNCIL.

HENRY P. FAIRBANKS, *President.*

Ward No. 1.

Henry P. Fairbanks,
Kendall Bailey,
George S. Adams,
John Wesson,
George P. Sanger,
Francis H. Joy.

Ward No. 2.

Philander S. Briggs,
Jotham Barry, Jr.
James G. Fuller,
Daniel Johnson,
Erdix T. Swift,
Edward Thorndike.

Ward No. 3.

Godfrey B. Albee,
Aaron Clark, 2d,
George Johnson,
Solomon G. Phipps,
Charles Poole,
Samuel S. Reynolds.

GUSTAVUS V. HALL, *Clerk.*

1850.

MAYOR.

G. WASHINGTON WARREN.

ALDERMEN.

Ward No. 1.

EBENEZER BARKER, JOHN L. TAGGARD.

Ward No. 2.

PHILANDER S. BRIGGS, GEORGE H. JACOBS.

Ward No. 3.

BENJAMIN PHIPPS, GEORGE JOHNSON.

COMMON COUNCIL.

HENRY P. FAIRBANKS, *President.*

Ward No. 1.

Edwin Bradley,
Amos Brown,
Henry P. Fairbanks,
Thomas F. Holden,*
Jotham Johnson, Jr.,
George P. Sanger,
George S. Adams.†

Ward No. 2.

Alexander P. Baxter,‡
William D. Butts,
Phineas J. Stone,
Jesse Gay,†
Erdix T. Swift,
Daniel Johnson,
Aura S. Tuttle.

Ward No. 3.

Caleb H. S. Arnold,§
Elijah Bigelow,
Otis Clapp,
Charles Poole,†
Elias Crafts, Jr.,
Thomas W. Hooper,
Solomon G. Phipps.

GUSTAVUS V. HALL, *Clerk.*

* Resigned Sept. 2.
‡ Resigned April 18.
† Elected to vacancy.
§ Deceased June 16.

1851.

MAYOR.

RICHARD FROTHINGHAM, JR.

ALDERMEN.

Ward No. 1.

NATHAN A. TUFTS, EDWARD LAWRENCE.

Ward No. 2.

GEORGE P. SANGER, PHILANDER S. BRIGGS.

Ward No. 3.

SAMUEL S. REYNOLDS, THOMAS J. ELLIOT.

COMMON COUNCIL.

HENRY P. FAIRBANKS, *President.*

Ward No. 1.

George S. Adams,
Henry P. Fairbanks,
Jonathan V. Fletcher,
Solomon Hovey,
Andrew Sawtell,
Amos Tufts.

Ward No. 2.

Daniel Johnson.
William D. Butts,
Jesse Gay,
Erdix T. Swift,
Aura S. Tuttle,
Phinehas J. Stone.

Ward No. 3.

David C. Willis,
Otis Clapp,
Charles A. Barker,
Aaron Clarke, 2d,
Jesse Stevens,
Thomas W. Hooper.

GUSTAVUS V. HALL, *Clerk.*

1852.

MAYOR.

RICHARD FROTHINGHAM, JR.

ALDERMEN.

Ward No. 1.

NATHAN A. TUFTS, EDWARD LAWRENCE.

Ward No. 2.

PHILANDER S. BRIGGS, GEORGE P. SANGER.

Ward No. 3.

SAMUEL S. REYNOLDS, THOMAS J. ELLIOT.

COMMON COUNCIL.

HENRY P. FAIRBANKS, *President.*

Ward No. 1.

Henry P. Fairbanks, Jonathan V. Fletcher,
Solomon Hovey, Andrew Sawtell,
Amos Tufts, Caleb Rand.

Ward No. 2.

Jesse Gay, Isaac E. Brown,
Phinehas J. Stone, James Fogg,
Ezra Brown, Foster Pierce.

Ward No. 3.

Elijah Bigelow,* David C. Willis,
Otis Clapp, Jesse Stevens,
Charles A. Barker, Hiram P. Remick,‡
James Bird,† H. K. Frothingham.†

GUSTAVUS V. HALL, *Clerk.*

* Resigned April 5. † Elected to vacancy. ‡ Resigned May 17.

1853.

MAYOR,

RICHARD FROTHINGHAM, JR.

ALDERMEN.

Ward No. 1.

EDWARD LAWRENCE, NATHAN A. TUFTS,*
HENRY P. GARDNER,† MELVIN SIMMONS.††

Ward No. 2.

PHILANDER S. BRIGGS, MOSES G. COBB.‡
GEORGE P. SANGER,§

Ward No. 3.

SAMUEL S. REYNOLDS, THOMAS J. ELLIOT.

COMMON COUNCIL.

HENRY P. FAIRBANKS, *President.*

Ward No. 1.

Henry P. Fairbanks, Timothy T. Sawyer,
Amos Tufts, Caleb Rand,
Andrew Sawtell, William W. Peirce.

Ward No. 2.

Jesse Gay, Ezra Brown,
Foster Peirce, Henry A. Quincy,
Phinehas J. Stone, Moses B. Sewall.

Ward No. 3.

James Bird, James Emery,
H. K. Frothingham, George P. Kettell,
Judson Murdock, Stephen H. Lynde.

GUSTAVUS V. HALL, *Clerk.*

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*Elected and declined. †Elected to vacancy Jan. 12; Resigned Feb. 14.
††Elected to vacancy March 17. ‡Elected to vacancy. §Resigned Oct. 3.

1854.

MAYOR.

JAMES ADAMS.

ALDERMEN.

Ward No. 1.

JONATHAN V. FLETCHER, KENDALL BAILEY.

Ward No. 2.

ISAAC OSGOOD, JEREMIAH S. REMICK.

Ward No. 3.

BENJAMIN PAGE, AURA S. TUTTLE.

COMMON COUNCIL.

PHINEHAS J. STONE, *President.*

Ward No. 1.

Amos Tufts,
Andrew Sawtell,
Isaac Kendall,
Timothy T. Sawyer,
Amos Brown,
Horace G. Hutchins.

Ward No. 2.

William D. Butts,
Moses B. Sewall,
Oliver Kimball,
Thomas G. Temple,
Phinehas J. Stone,
H. N. McFarland.

Ward No. 3.

Stephen H. Lynde,
James Emery,
Samuel R. Brintnall,*
Francis M. Mason,†
Benjamin F. Tyler,
Frederick F. Barrell,
Seth W. Lewis.

GUSTAVUS V. HALL, *Clerk.*

* Resigned April 17. † Elected to vacancy.

1855.

MAYOR.

TIMOTHY T. SAWYER.

ALDERMEN.

Ward No. 1.

EDWARD LAWRENCE, JONATHAN V. FLETCHER.

Ward No. 2.

WILLARD DALRYMPLE, THOMAS M. CUTTER.

Ward No. 3.

BENJAMIN PHIPPS, EDWARD WARD.

COMMON COUNCIL,

HORACE G. HUTCHINS, *President.*

Ward No. 1.

Amos Tufts,
Horace G. Hutchins,
Amos Brown,
James A. D. Worcester,
William W. Peirce,
Ebenezer White.

Ward No. 2.

Joseph Young,
John W. Corey,
Nahum Chapin,
Foster Peirce,
Samuel Palmer,
Thomas B. Harris.

Ward No. 3.

Seth W. Lewis,
James Emery,
Frederick F. Barrell,
Hartwell Mayers,
Isaac B. Trask,
Daniel R. Beckford.

GUSTAVUS V. HALL, *Clerk.*

1856.

MAYOR.

TIMOTHY T. SAWYER.

ALDERMEN.

EDWARD LAWRENCE, JONATHAN V. FLETCHER.

Ward No. 2.

THOMAS M. CUTTER, WILLARD DALRYMPLE.

Ward No. 3.

BENJAMIN PHIPPS, EDWARD WARD.

COMMON COUNCIL.

HORACE G. HUTCHINS, *President.*

Ward No. 1.

Amos Tufts, William W. Peirce,
Amos Brown, James A. D. Worcester,
Horace G. Hutchins, Andrew Sawtell.

Ward No. 2.

Joseph Young, Foster Peirce,
John W. Corey, Samuel Palmer,
Nahum Chapin, Dolphin D. Taylor.

Ward No. 3.

Thomas B. Harris, Warren Rand,
Joseph F. Hovey, Seth L. Loring,
John Gardner, Oscar Murdock.

GUSTAVUS V. HALL, *Clerk.*

1857.

MAYOR.

TIMOTHY T. SAWYER.

ALDERMEN.

Ward No. 1.

EDWARD LAWRENCE, JONATHAN V. FLETCHER.

Ward No. 2.

THOMAS M. CUTTER, WILLARD DALRYMPLE.

Ward No. 3.

BENJAMIN PHIPPS, AARON CLARKE.*
EDWARD WARD,

COMMON COUNCIL.

HORACE G. HUTCHINS, *President.*

Ward No. 1.

Amos Tufts, William W. Peirce,
Amos Brown, James A. D. Worcester,
Horace G. Hutchins, Andrew Sawtell.

Ward No. 2.

Joseph Young, Foster Peirce,
Nahum Chapin, Samuel Palmer,
Paul Willard, Dolphin D. Taylor.

Ward No. 3.

Thomas B. Harris, Seth L. Loring,
Joseph F. Hovey, Oscar Murdock,
Josiah F. Guild, Warren Rand.

GUSTAVUS V. HALL, *Clerk.*

*Elected in place of Edward Ward.

1858.

MAYOR.

JAMES DANA.

ALDERMEN.

Ward No. 1.

Amos Tufts, Amos Brown.

Ward No. 2.

Daniel Johnson, Joseph Young,

Ward No. 3.

Aaron Clarke, Jesse Stevens.†
Oscar Murdock,*

COMMON COUNCIL.

William W. Peirce, *President.*

Ward No. 1.

William W. Peirce, Arthur W. Tufts,
John B. Wilson, Heman S. Doane,
Matthew Rice, Oliver Ayers.

Ward No. 2.

Nahum Chapin, Henry A. Quincy,
Warren Rand, George Skilton.‡
Paul Willard, Lyman Pray.†
William T. Chandler,

Ward No. 3.

Josiah H. Guild, Frederick F. Barrell,
Charles H. Blanchard, Earl Wyman,
Charles Robinson, Jr. Robert B. Rogers.

Gustavus V. Hall, *Clerk.*

* Died June 26. † Elected to vacancy. ‡ Resigned June 7.

1859.

MAYOR.

JAMES DANA.

ALDERMEN.

Ward No. 1.

AMOS TUFTS,* NATHAN A. TUFTS.†
AMOS BROWN,

Ward No. 2.

DANIEL JOHNSON, JOSEPH YOUNG.

Ward No. 3.

AARON CLARKE, JESSE STEVENS.

COMMON COUNCIL.

WARREN RAND, *President.*

Ward No. 1.

Thomas S. Doane, Arthur W. Tufts,
Oliver Ayers, William W. Wheildon,
John B. Wilson, Charles Field.

Ward No. 2.

Henry A. Quincy, Francis W. Pearson,‡
Charles Robinson, Jr., Luther F. Whitney,
William T. Chandler, Elijah R. Estee.†
Otis Little,

Ward No. 3.

Charles H. Blanchard, Robert B. Rogers,
Earl Wyman, Warren Rand,
Frederick F. Barrell, William Fosdick.

GUSTAVUS V. HALL, *Clerk.*

*Resigned April 25, ‡Resigned February 7. †Elected to vacancy.

1860.

MAYOR.

JAMES DANA.

ALDERMEN.

Ward No. 1.

NATHAN A. TUFTS, OLIVER AYERS.

Ward No. 2.

DANIEL JOHNSON, LUTHER F. WHITNEY.

Ward No. 3.

JESSE STEVENS, JOSEPH CALDWELL.

COMMON COUNCIL.

CHARLES ROBINSON, JR., *President.*

Ward No. 1.

Heman S. Doane,
Arthur W. Tufts,
Charles Field,
George Stimpson, Jr.,
Andrew Jackson,
William W. Bray.

Ward No. 2.

Otis Little,
Charles Robinson, Jr.,
Henry P. Goodwin,
John K. Fuller,
Marshall N. Cutter,
James Emery.

Ward No. 3.

Warren Rand,
William Fosdick,
Frederick F. Barrell,
Daniel R. Beckford,
Robert W. Stimpson,
Benjamin W. Gage,*
John N. Devereaux.†

GUSTAVUS V. HALL, *Clerk.*

* Resigned Jan. 2. † Elected to vacancy.

1861.

MAYOR.

HORACE G. HUTCHINS.

ALDERMEN.

Ward No. 1.

EDWIN F. ADAMS, WILLIAM W. PEIRCE.

Ward No. 2.

NAHUM CHAPIN, NATHANIEL BROWN.

Ward No. 3.

JOSEPH CALDWELL, RUFUS MASON.

COMMON COUNCIL.

CHARLES ROBINSON, JR., *President.*

Ward No. 1.

William W. Bray, Charles E. Sweney,
Francis W. Hurd, William H. Hooton,
Winsor Wright, Horatio Wellington.

Ward No. 2.

Otis Little, Josiah F. Guild,
Charles Robinson, Jr., Marshall N. Cutter,
Dolphin D. Taylor, Henry P. Goodwin.

Ward No. 3.

Joseph F. Boyd, John N. Devereaux,
Benjamin F. Parker, Daniel R. Beckford,
Charles P. Brooks, Charles W. Wellington.

GUSTAVUS V. HALL, *Clerk.*

1862.

MAYOR.

PHINEHAS J. STONE.

ALDERMEN.

Ward No. 1.

ANDREW SAWTELL, FRANCIS CHILDS, FRANCIS THOMPSON.

Ward No. 2.

PHILANDER S. BRIGGS, OTIS LITTLE, JAMES F. DWINELL.

Ward No. 3.

JOSEPH CALDWELL, JOSEPH LOVETT, CHAS. A. BARKER.

COMMON COUNCIL.

JOHN N. DEVEREAUX, *President.*

Ward No. 1.

Francis W. Hurd,
Winsor Wright,
William W. Bray,
James O'Brien,
Willard Rice,
James W. Roberts.

Ward No. 2.

Dolphin D. Taylor,
Marshall N. Cutter,
Ezra Brown,
Marcellus Day,
Moses B. Sewall,
George O. Wiley.

Ward No. 3.

John N. Devereaux,
Daniel R. Beckford,
Charles W. Wellington,
Freeman Peacock,
William B. Long,
Barney Hull.

GUSTAVUS V. HALL, *Clerk.*

1863.

MAYOR.

PHINEAS J. STONE.

ALDERMEN.

Ward No. 1.

ANDREW SAWTELL, FRANCIS CHILDS, FRANCIS THOMPSON.

Ward No. 2.

PHILANDER S. BRIGGS, JAMES F. DWINELL, OTIS LITTLE.

Ward No. 3.

JOSEPH LOVETT, CHARLES A. BARKER, JOSEPH F. BOYD.

COMMON COUNCIL.

EUGENE L. NORTON, *President.*

Ward No. 1.

Anthony S. Morss,
Charles F. Harding,
Thomas Graham,
James W. Roberts,
Charles Field,
William H. Hooton.

Ward No. 2.

Moses B. Sewall,
Ezra Brown,
Marshall N. Cutter,
Eugene L. Norton,
James H. Potts,
Edward A. Costigan.

Ward No. 3.

John Gardner,
Horatio P. Dunnels,
Jacob W. Roberts,
Charles F. Smith,
John B. Meserve,
Augustus W. Stover.

GUSTAVUS V. HALL, *Clerk.*

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